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BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
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San Francisco, California 94109  
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FEB 25 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
February 5, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos,  
Frank H. Ogawa, Helen B. Rudee,  
K. Jacqueline Speier, Susanne  
Wilson.

BOARD MEMBERS ABSENT:

Fred F. Cooper.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Michael R. Barr, Daniel V.  
Phelan, Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, Peter  
Hess, Dario Levaggi, Edward W.  
McHugh, John F. Powell, Lewis H.  
Robinson, Greg Stone, Carol  
Bradley.

- - -



Chairperson Silver called the meeting to order at 9:38 A.M.

#### INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Messrs. Michael R. Barr, Daniel V. Phelan and Jack C. Oppenheimer of the Advisory Council.

#### PUBLIC PRESENTATION

There was none.

#### APPROVAL OF MINUTES OF JANUARY 15, 1986

#### DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report - December 16, 1985 - January 15, 1986; Director of Permit Services Monthly Activity Report - December 16, 1985 - January 15, 1986; Director of Planning Monthly Activity Report - December 18, 1985 - January 21, 1986; Director of Technical Services Monthly Activity Report - December 16, 1985 - January 15, 1986; Director of Public Information Monthly Activity Report - December 30, 1985 - January 28, 1986; Status of Legal Matters: January 1, 1986 - January 29, 1986; Director of Administrative Services Appropriations and Cash Position Statement - December 31, 1985.

#### COMMUNICATIONS

The following communications were presented:

Jack Harris  
Director of Education  
Special District Board Management Institute

Michael M. Davis  
Executive Director  
Community Development Agency  
City of Danville

#### AMENDMENT TO SCHEDULE OF CHARGES FOR DISTRICT PUBLICATIONS

The APCO's report entitled, Amendments to Schedule of Charges for District Publications, dated January 29, 1986, was presented.

Director Davis questioned the rising cost of the publications to which Mr. Feldstein responded the additional cost reflected added materials, printing and postage, that the fees were consistent within the District; and the organization exemption list would remain unchanged.

Adopted Resolution No. 1644, In the Matter of Amending the Schedule of Charges for District Publications.



### TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds from Reserve for Contingencies, dated January 29, 1986, was presented.

Adopted Resolution No. 1645, In the Matter of Approving Various Transfers of Funds from the Reserve for Contingencies.

### REFERRALS

The APCO's report entitled Referrals, dated January 29, 1986, was presented.

### APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated January 29, 1986, was presented.

### DISPOSAL OF SURPLUS PROPERTY

The APCO's report entitled, Disposal of Surplus Property, dated January 29, 1986, was presented.

### APPROVAL FOR AIR MONITORING STATION RENTAL AGREEMENT

The APCO's report entitled, Approval for Air Monitoring Station Rental Agreement, dated January 29, 1986 was presented.

Adopted Resolution No. 1646, In the Matter of Authorizing the Execution of an Air Monitoring Station Lease.

### SETTING OF PUBLIC HEARINGS

FOR MARCH 19, 1986, CONSIDERATION OF AMENDMENTS TO REGULATION 2,  
RULE 1, REGARDING PERMIT EXEMPTIONS

FOR MARCH 19, 1986, CONSIDERATION OF AMENDMENTS TO REGULATION 2,  
RULE 2, REGARDING THE RENUMBERING OF SECTIONS PERTAINING TO FOOD PROCESSORS

The APCO's report entitled, Setting of Public Hearings - Conflict of Interest Statement, dated January 29, 1986, was presented.

### CLAIM AGAINST THE DISTRICT

The APCO's report entitled, Claim of Michael Carl Hembree, dated January 29, 1986, was presented.

Director Ogawa moved adoption of the Consent Calendar; seconded by Director Shirley Campbell; carried on roll call:

AYES: Aramburu, Shirley Campbell, Paul Cooper, Davis,  
Diridon, Doetsch, Hughan, McPeak, Moskowite,  
Nicolopoulos, Ogawa, Rudee, Silver, Speier.



NOES: None.

ABSENT: Britt, Edward Campbell, Fred Cooper, Wilson.

- - -

Chairperson Silver stated she would defer the Executive Committee report and the Public Hearing to Consider Adoption of Regulation 10, Rule 46, Regarding Non-Metallic Mineral Processing Plants, (reset from January 8, 1986) until after staff had completed its presentation on toxics which was being continued from the meeting of January 15, 1986.

REPORT OF ADVISORY COUNCIL  
John S. Lagarias, Chairperson

In the absence of Chairperson Lagarias, Michael R. Barr presented the report entitled, Report of Advisory Council, dated February 5, 1986. Mr. Barr also announced Chairperson Lagarias' appointment to the California Air Resources Board by Governor George Deukmejian.

Director Hughan moved the adoption of Resolution No. 1647, In the Matter of Congratulating John S. Lagarias Upon His Appointment to the State Air Resources Board by Governor George Deukmejian; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Shirley Campbell, Paul Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopoulos, Ogawa, Rudee, Silver, Speier.

NOES: None.

ABSENT: Britt, Edward Campbell, Fred Cooper, Wilson.

Director Edward Campbell arrived at 9:45 A.M.

CONTINUATION OF STAFF PRESENTATION ON TOXICS  
(Continued from January 15, 1986)

Mr. Feldstein reviewed the January 15, 1986 presentation on the Air Toxics Regulation Program, stating Mr. Peter Hess would continue the staff presentation regarding the toxics emissions inventory and Mr. Dario Levaggi would describe the toxics air monitoring program.

Director Britt arrived at 9:50 A.M.

Mr. Hess explained that the emission inventory was very important to the commencement of a toxic air monitoring program within the District; that it was the first step in the regulation of toxic air contaminants and three questions must be answered: (1) who emits the contaminant? (2) what is being emitted? (3) how much is emitted?



Director Wilson arrived at 9:55 A.M.

Mr. Hess displayed copies of forms sent to emitters, as well as a list of the different toxics, stating the inventory covered sources under permit, though it was the intent of the District to expand the scope of the inventory; to conduct these inventories annually, and to improve the accuracy by conducting source tests at the facilities that emit air contaminants.

There was considerable discussion about the contaminant benzene, a possible substitution for benzene in petroleum products, and the amount of benzene going into the atmosphere because recovery nozzles were not being utilized.

Director McPeak questioned whether the District was contemplating requesting an air emission analysis being done independently by the emitters of air contaminants, to which Mr. Hess responded affirmatively. Director McPeak also called attention to Item No. VII.B.9 of the Bay Area Air Quality Management Overall District Objectives, stating the target date was **ongoing**, that it should be sooner.

Mr. Feldstein stated the District was looking at regulations that had been proposed by other states, as well as the Monterey Bay Unified Air Pollution Control District proposed rule; that the list did not provide a guide for control and that staff would have a report to the Board on the Monterey proposed rule, stating its good and bad points, in three months (May 1, 1986), as well as illuminating the strengths and weaknesses of other agencies.

There was discussion regarding the monetary figures listed in Mr. Hess' report. Mr. Feldstein stated the Board would have to decide how much industry would have to expend to reduce cancer. Director Diridon stated industry could force technology and determine a way to manufacture without using offending chemicals. Chairperson Silver stated in order to consider the cost of abatement, another column should be added to the current chart to reflect the social cost of one additional cancer per million; that those figures should be available from insurance companies or Health Maintenance Organizations; and the information should be supplied when inventory of toxic emissions is presented again.

Director Aramburu stated he would like to hear industry's side regarding **proposed** controls prior to the Board adopting a rule, and a **pre-meeting** workshop should be a part of the rulemaking strategy. Mr. Feldstein stated a pre-meeting workshop could be held prior to the Board's public hearing on any proposed rules.

Mr. Levaggi reviewed the air monitoring procedure for toxics, and the current programs used by the District; explaining how the District samples toxics.

There was discussion regarding the proposed monitoring sites;



dioxins and the sampling process.

Vice-Chairperson Ogawa presiding.

Mr. Feldstein presented the revised goals and objectives discussed by the Executive Committee at their January 29, 1986 meeting; directing the Board's attention to Item No. VII - Objective, and Item A - the Regulatory Schedule, stating Item No. VII language had been changed to add "**to the maximum extent feasible**", to maintain consistency with the District's Overall Objective, and Item A placed certification responsibility on ARB.

Director Diridon moved to adopt the changes as listed; seconded by Director Aramburu; carried on roll call:

AYES: Aramburu, Britt, Edward Campbell, Shirley Campbell, Paul Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopoulos, Ogawa, Rudee, Speier, Wilson.

NOES: None.

ABSENT: Fred Cooper, Silver.

Chairperson Silver presiding.

Mr. Feldstein stated Item VII.B detailed the objectives to reduce the risk of exposure to toxic air contaminants, and included two recommendations by Director McPeak, listed as Items 9 and 10. Director Diridon moved to accept the staff recommendation; seconded by Director McPeak; carried on roll call.

AYES: Aramburu, Britt, Edward Campbell, Shirley Campbell, Paul Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopoulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Fred Cooper.

REPORT OF EXECUTIVE COMMITTEE  
Chairperson Silver

Chairperson Silver stated the Executive Committee had met to discuss long-term policy, toxics and other items; that the recommendation of the Committee was to amend the language in No. IX which was presented, as well as change its position to II; and further that it would be the subject matter of the April 30, 1986 Executive Committee meeting regarding transportation control measures, and indirect source control.

Chairperson Silver further stated Item No. X addressed indoor air quality; that sealed buildings were a major concern; and the Executive Committee had defined a series of objectives to



determine the authority of the Board to deal with what is considered a health problem.

Director Wilson suggested a fourth objective be added to Item No. X that would enable the District to participate in or establish a study of the known effects of indoor air pollution through a survey of the health clinics. Chairperson Silver directed that No. 4 be added to state: **participate in data collection and study of indoor air pollution.** Director Hughan called attention to Item No. VII, stating hexavalent chromium is "**deemed a toxic air contaminant**", and such language should be added; Chairperson Silver so ordered.

Chairperson Silver called for public comment and the following persons spoke:

Mark Abramowitz  
Citizens for a Better Environment

stating CBE was pleased to see the action the Board had taken; it represented a major step forward in protecting public health; and CBE encouraged and supported the Board's action. Mr. Abramowitz cautioned that risk assessment from new sources should include a full assessment of substitute compounds and processes that could be used instead; that an analysis of the technology available to control was needed; and the public support in Contra Costa County was to have the Board deem toxics unsafe until proven safe.

Director Nicolopoulos stated even in criminal activity a person is innocent until proven guilty.

Frank Stead  
American Lung Association

stated he was impressed with the Board's pioneer action; that it was a departure from the historic approach to hazards to public health in the United States, and the Board was making history.

John Psaphas  
Sierra Club  
San Francisco Bay Chapter

applauded the Board and District for actions taken in the control of toxics, and urged continuing progress in the highly difficult and rapidly changing field.

Directors Doetsch and Moskowitz departed at 11:30 A.M.

Director McPeak offered a change of language in VII.B.4 stating she wanted it to read as follows: "**Update toxic emission inventory yearly which will require annual toxic emissions reports from all emitters and which is verified periodically by actual analysis conducted by the Bay Area Air Quality Management District or an independent entity.**"; further stating that VII.B.9 target date



should be changed to read **May 1, 1986** rather than "ongoing".  
Director Wilson made the motion to accept the language changes;  
seconded by Director Speier; carried on roll call:

AYES: Aramburu, Britt, Edward Campbell, Shirley Campbell,  
Paul Cooper, Davis, Diridon, Hughan, McPeak,  
Nicolopoulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Fred Cooper, Doetsch, Moskowitz.

Directors Britt, Diridon, McPeak, and Nicolopoulos departed at  
11:43 A.M.

Director Wilson made a motion to adopt Resolution No. 1648, In the  
Matter of Amending the Overall District Objectives; seconded by  
Director Speier; carried on roll call:

AYES: Aramburu, Edward Campbell, Shirley Campbell, Paul  
Cooper, Davis, Hughan, Ogawa, Rudee, Silver, Speier,  
Wilson.

NOES: None.

ABSENT: Britt, Fred Cooper, Diridon, Doetsch, McPeak,  
Moskowitz, Nicolopoulos.

PUBLIC HEARING TO CONSIDER ADOPTION OF REGULATION 10, RULE 46,  
REGARDING NON-METALLIC MINERAL PROCESSING PLANTS  
(Re-set from January 8, 1986)

Chairperson Silver opened the public hearing at 11:45 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Publication  
of Notice of Public Hearing.

Mr. Greg Stone reviewed the APCO's report entitled, Public Hearing  
to Consider Adoption of Regulation 10, Rule 46 - Non-Metallic  
Mineral Processing Plants, dated January 29, 1986, stating the  
proposed rule was for New Source Performance Standards (NSPS) for  
selected non-metallic mineral processing equipment.

There was no public presentation.

Director Rudee moved the public hearing be closed at 11:50 A.M.  
and the adoption of Resolution No. 1649, In the Matter of Adopting  
Rule 46 of Regulation 10 Relating to Non-Metallic Mineral  
Processing Plants; seconded by Director Speier; carried on roll  
call:

AYES: Aramburu, Edward Campbell, Shirley Campbell, Paul  
Cooper, Davis, Hughan, Ogawa, Rudee, Silver, Speier,  
Wilson.



NOES: None.

ABSENT: Britt, Fed Cooper, Diridon, Doetsch, McPeak,  
Moskowite, Nicolopulos.

STAFF PRESENTATION ON REGULATORY CONTROL OF ODOROUS EMISSIONS  
(Postponed from January 15, 1986)

Chairperson Silver stated this item was to be deferred to a future meeting.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein stated APCA would sponsor a conference on Alternatives to Land Disposal of Hazardous Wastes, at the Cathedral Hill Hotel, February 27-28, 1986; that Sally Tanner would be the guest speaker at the dinner February 27; and suggested the Board might want to attend that meeting. Chairperson Silver directed Boardmembers to notify the Clerk of their intention to attend.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver stated the Report of the Executive Committee covered her remarks.

BOARD MEMBERS' COMMENTS

There were none.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, February 19, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:55 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





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MAR 14 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
February 19, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT: Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Rod  
Diridon, Ralph P. Doetsch, Sr.,  
Roberta H. Hughan, Sunne Wright  
McPeak, Gus J. Nicolopoulos, Frank  
H. Ogawa.

BOARD MEMBERS ABSENT: Fred Cooper, Osby Davis, Harold I.  
Moskowite, Helen B. Rudee, K.  
Jacqueline Speier, Susanne Wilson.

ADVISORY COUNCIL MEMBERS  
PRESENT: Kathryn Smick, M.D., Daniel V.  
Phelan.

STAFF MEMBERS PRESENT: Milton Feldstein, Thomas F. Bell,  
Tom Brennan, Hulan F. Brinkley,  
Daniel Goalwin, Peter Hess, Dario  
Levaggi, Edward W. McHugh, John F.  
Powell, Lewis H. Robinson, Mary  
Veronda, Kildae Gooseff.

- - -



Chairperson Silver called the meeting to order at 9:45 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Gooseff introduced Kathryn Smick, M.D., and Mr. Daniel V. Phelan of the Advisory Council.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF FEBRUARY 5, 1986

Director Nicolopoulos requested an addition to paragraph four on page 7 of the minutes as follows: "Director Nicolopoulos stated even in criminal activity, you are innocent until proven guilty."

COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were received:

Janet Dunlop  
Richmond, California

Alvin James  
Acting Director of City Planning  
City of Oakland

Jananne Sharpless  
Chairperson  
Air Resources Board

Bruce A. Baxter  
Advisory Council  
BAAQMD

REFUNDS

The APCO's report entitled, Refunds, dated February 13, 1986, was presented.

SETTING OF PUBLIC HEARING FOR APRIL 2, 1986 TO CONSIDER  
AMENDMENTS TO REGULATION 8, RULE 11, METAL CONTAINER,  
CLOSURE AND COIL COATING OPERATIONS

The APCO's report entitled, Setting of Public Hearing - Conflict of Interest Statement, dated February 12, 1986, was presented.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated February 13, 1986, was presented.

On motion of Director Ogawa, seconded by Director Doetsch, the



above Consent Calendar items with corrections to the minutes carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, P. Cooper, Diridon, Doetsch, Hughan, McPeak, Nicolopoulos, Ogawa.

NOES: None.

ABSENT: F. Cooper, Davis, Moskowitz, Rudee, Speier, Wilson.

REPORT OF PERSONNEL COMMITTEE  
K. Jacqueline Speier, Chairperson

In the absence of the Committee's Chairperson and Vice-Chairperson, Director Ogawa reported on the Personnel Committee meeting held prior to the Board meeting this date, advising that the Committee recommended appointing Alvin J. Greenberg, Ph.D., to the Public Health category on the Advisory Council; that it had directed the General Contractor and the Organized Labor positions on the Advisory Council be advertised and applications be evaluated at the next Committee meeting; that the Advisory Council Attendance Record would be reviewed by the Committee at the time of Advisory Council reappointments in October/November of each year.

Director Ogawa advised that the Committee recommended approval of staff's request for reclassification of the vacant senior environmental specialist position in the Planning Division to Senior Air Quality Engineer (Planning) at a salary savings of \$6,000 per year, and moved adoption of Resolution No. 1650, In the Matter of Reclassifying a Vacant Position of Senior Environmental Specialist, as well as the adoption of the Committee's other recommendations; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, P. Cooper, Diridon, Doetsch, Hughan, McPeak, Nicolopoulos, Ogawa.

NOES: None.

ABSENT: F. Cooper, Davis, Moskowitz, Rudee, Speier, Wilson.

QUARTERLY REPORT OF AIR RESOURCES BOARD REPRESENTATIVE  
Roberta H. Hughan

Director Hughan reviewed her report entitled, Quarterly Report of My Activities as an ARB member, undated, stating the gray-market issue of German automobile importation and emission testing thereof was finally passed; that such automobiles will now be subject to more stringent emissions testing.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 10  
RULE 33 REGARDING SURFACE COATING OF METAL FURNITURE

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearing.



Mr. Tom Brennan reviewed the APCO's report entitled, Public Hearing to Consider Amendments to Regulation 10, Rule 33: Surface Coating of Metal Furniture, dated February 12, 1986, stating the rule limited the discharge of volatile organic compounds (VOC) into the atmosphere from metal furniture coating operations which were constructed, modified, or reconstructed after November 28, 1980. Mr. Feldstein commented that the effect of the rule will be to prevent a substantial increase of VOC's into the atmosphere.

Director Ogawa opened the public hearing at 9:57 A.M.

There was no public presentation.

Director Doetsch moved the public hearing be closed at 9:58 A.M., and adoption of Resolution No. 1651, In the Matter of Amending Rule 33 of Regulation 10 Relating to New Plant Performance and Emission Requirements for the Surface Coating of Metal Furniture; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, P. Cooper, Diridon, Doetsch, Hughan, McPeak, Nicolopoulos, Ogawa.

NOES: None.

ABSENT: F. Cooper, Davis, Moskowitz, Rudee, Speier, Wilson.

STAFF PRESENTATION ON REGULATORY CONTROL OF ODOROUS EMISSIONS  
(Postponed from February 5, 1986)

Mr. Brinkley reviewed the District Counsel's report entitled, Judicial Enforcement of Odor Nuisance Cases, dated January 13, 1986, and, with use of overhead slides, outlined the legislative history and authority of odor regulation development, procedures for responding to citizens' complaints and enforcement of odor regulations, and the criteria for Regulation 7 to become effective. Mr. Brinkley stated the control of odors was unique because odors are difficult to identify; that odors are based on individual perception and community standards; that 5 confirmed complaints of odors in one day or 10 confirmed complaints over a 90-day period would trigger an investigative response by the District; that odors represented 72% of the citizen's complaints received in the last calendar year; that the increase in complaints was due to a more odor-aware public, a greater concern for toxics and the Board's elimination through rule-adoption of the more obvious sources of potential complaints.

In reviewing a slide entitled, Distribution of Inspection Resources, Mr. Brinkley advised that 12.6% of an Inspector's time is directed to investigation and resolution of complaints. He outlined the procedures of the District for responding to citizen complaints during normal office hours and for other than normal office hours, advising that the complaint process is a top priority of the District; that a complaint is considered confirmed if the odor is detected by the Inspector in the presence of the



complainant or if the odor described by complainant is the same as previously detected by the Inspector in the presence of the complainant. Mr. Brinkley assured that when 5 or more complaints are received during other than normal working hours, the area Inspector or an alternate is called out for investigation.

Mr. Brinkley advised that Regulation 7 specifically limits emissions from trimethylamines, phenols, ammonia, dimethylsulfides, and mercaptans; that Regulation 7 becomes effective upon receipt of 10 or more complaints within a 90-day period and remains in effect until such time as no citizen complaints have been received by the District for 1 year.

In reviewing odor testing procedures, Mr. Brinkley stated a series of calibrations are used to determine the sensitivity level for the "average nose"; that a sample is brought back to the olfactometer and diluted for exposure to a panel together with a clean, dry air sample; that an 80% positive response on the odorous material and an 80% negative response on the clean, dry air sample constitutes a violation of Regulation 7.

There was discussion on criteria for responding to complaints, instrumentation for monitoring odors, the changing nature of odors, and the public nuisance determination made under Health and Safety Code Section 41700, Mr. Feldstein stating the District's odor regulation was pioneered by this Board; that no jurisdiction within the United States has this type of enforcement, and that EPA has determined the District's odor regulation is best in the United States.

In discussion of odor nuisances, Director McPeak advised that the Pacific Refining issue was finally being brought to a resolution after 6 months work by the Task Force, the District, and various public agencies; that Pacific Refining has agreed to institute recommendations of the Task Force and of the Fluor engineering study instituted by the Task Force to identify corrections and solutions to reduce the odor nuisance. She stated that discussions with the District were being conducted to establish a time-table for implementation of the recommendations and settlement of penalties. Mr. Feldstein advised that a consent order will be worked out indicating agreement by Pacific Refinery to the recommendations; that any digression will be considered contempt of court.

Director McPeak stated there was a need for the Board to look at how it defines "penalties"; that a suggestion had been made to split the fines between the District and the community. After discussion, Chairperson Silver directed staff to agendaize for the March 5, 1986 Board meeting the matter of the distribution of penalties recovered from Pacific Refining.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein advised the Board of the Conference on Alternatives



to Land Disposal of Hazardous Wastes to be held February 26-28, 1986 at the Cathedral Hill Hotel, urging Board attendance.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver stated she wanted to establish a schedule of regular pre-meeting briefings for the day prior to each of the Board's regular meetings; that such a meeting would serve to familiarize Board members with proposals and recommendations of staff; that attendance at such meetings would not be mandatory.

After discussion, Director Diridon moved to adopt a schedule of regular pre-meeting briefings; seconded by Director McPeak; carried on roll-call.

BOARD MEMBERS' COMMENTS

Director Aramburu complimented the Advisory Council's Ad Hoc Committee on Legislation for its diagram outlining the status of various legislation, and requested staff to furnish a copy of the diagram to Director Britt as Chairperson of the Board's Legislative Committee.

Director Aramburu requested staff to agendize a workshop on cogeneration, stating some areas were nearing the crisis stage in terms of solid waste management; that the Board should be familiarized with available technology.

Director McPeak commented on her observation of increased positive press coverage of the District's activities.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, March 5, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 10:55 A.M.

Respectfully submitted,

Kildae Gooseff  
Deputy Clerk of the Boards





**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
**939 ELLIS STREET**  
**SAN FRANCISCO, CA 94109**

Jack Leister  
Institute of Governmental Studies  
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MAR 25 1986

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BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
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M I N U T E S

BOARD MEMBERS PRESENT:	Carol Ruth Silver, Chairperson, Albert Aramburu, Harry G. Britt, Edward R. Campbell, Shirley J. Campbell, Fred F. Cooper, Paul L. Cooper, Osby Davis, Ralph P. Doetsch, Sr., Roberta H. Hughan, Sunne Wright McPeak, Gus J. Nicolopoulos, Frank H. Ogawa, Helen B. Rudee, K. Jacqueline Speier, Susanne Wilson.
BOARD MEMBERS ABSENT:	Rod Diridon, Harold I. Moskowitz.
ADVISORY COUNCIL MEMBERS PRESENT:	John W. Daily, Ph.D., Daniel V. Phelan.
STAFF MEMBERS PRESENT:	Milton Feldstein, Thomas F. Bell, Hulan F. Brinkley, Janet Glasgow, Edward W. McHugh, Richard L. Nelson, John F. Powell, Lewis H. Robinson, Carol Bradley.

- - -

Chairperson Silver called the meeting to order at 9:40 A.M.

## INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced John W. Daily, Ph.D., and Mr. Daniel V. Phelan of the Advisory Council.

## PUBLIC PRESENTATION

Director F. Cooper apologized for having missed three meetings; stating his absence had been caused by illness.

## APPROVAL OF MINUTES OF FEBRUARY 19, 1986

### COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were presented:

Janet Dunlop  
Berkeley, California

Alvin D. James  
Acting Director of City Planning  
City of Oakland

Jannane Sharpless  
Chairperson  
Air Resources Board

Bruce Baxter  
Advisory Council

## DIVISION MONTHLY REPORTS

The following reports were presented:

Director of Enforcement Monthly Activity Report - January 16, 1986 - February 15, 1986; Director of Permit Services Monthly Activity Report - January 16, 1986 - February 15, 1986; Director of Planning Monthly Activity Report - January 22, 1986 - February 22, 1986; Director of Technical Services Monthly Activity Report - January 16, 1986 - February 15, 1986; Director of Public Information Monthly Activity Report - January 28, 1986 - February 26, 1986; Status of Legal Matters: January 30, 1986 - February 24, 1986; Director of Administrative Services Appropriation Statement and Cash Position - January 31, 1986.

Director Aramburu praised the Director of Administrative Services for the new format being used in the Appropriation Statement and Cash Position Statement commenting the report was much easier to read.



### REFERRALS

The APCO's report entitled, Referrals, dated February 26, 1986, was presented.

#### SET PUBLIC HEARING TO CONSIDER ADOPTION OF REGULATION 10, RULE 47: NATURAL GAS PROCESSING PLANTS FOR APRIL 16, 1986

The APCO's report entitled, Setting of Public Hearing - Conflict of Interest Statement, dated February 26, 1986, was presented.

### REFUNDS

The APCO's report entitled, Refunds, dated February 26, 1986, was presented.

Director Ogawa moved the adoption of the Consent Calendar; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, F. Cooper, P. Cooper, Doetsch, Hughan, McPeak, Nicolopoulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: E. Campbell, Davis, Diridon, Moskowite.

Director Davis arrived at 9:44 A.M.

#### PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 11, RULE 2, REGARDING ASBESTOS

Mr. Nelson reviewed the APCO's report entitled, Public Hearing to Consider Modification of Regulation 11, Rule 2, Section 401.4, Asbestos, dated February 21, 1986, stating staff was proposing the deletion of "**or renovated**" from Section 401.4; that the change would have no impact on ambient emissions of asbestos, but would greatly reduce inspectors' time as well as unnecessary paperwork.

Chairperson Silver stated she had read an article in the Wall Street Journal indicating asbestos renovation was becoming a major health problem, requesting Mr. Nelson to elaborate.

Mr. Nelson stated District staff found contractors doing renovation work were subject to Cal OSHA, as well as to BAAQMD, regulations, and that they were all complying.

There was discussion regarding the 160 sq. ft. or 260 lineal ft. requirement.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearing.

Chairperson Silver opened the public hearing at 9:47 A.M.

There was no public presentation.

Director E. Campbell arrived at 9:47 A.M.

Director Ogawa moved the public hearing be closed at 9:47 A.M. and adoption of Resolution No. 1652, In the Matter of Amending Rule 2 of Regulation 11 Relating to Asbestos; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, F. Cooper, P. Cooper, Davis, Doetsch, Hughan, McPeak, Nicolopulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Diridon, Moskowitz.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 8, RULE 19,  
REGARDING SURFACE COATING OF MISCELLANEOUS PARTS AND PRODUCTS

Ms. Glasgow reviewed the APCO's report entitled, Public Hearing to Consider Amendments to Regulation 8, Rule 19, Surface Coating of Miscellaneous Metal Parts and Products, dated February 26, 1986, stating staff was recommending approval of the proposed amendment to delete the compliance schedules for certain "specialty coatings" as well as for small users, since they no longer served any purpose.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearing.

Chairperson Silver opened the public hearing at 9:51 A.M.

There was no public comment.

Director Ogawa moved the public hearing be closed at 9:51 A.M.; and adoption of Resolution No. 1653, In the Matter of Amending Rule 19 of Regulation 8; seconded by Director F. Cooper; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, F. Cooper, P. Cooper, Davis, Doetsch, Hughan, McPeak, Nicolopulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Diridon, Moskowitz.

PRESENTATION ON OZONE FORMATION

Mr. Feldstein, using overhead slides, reviewed the five factors that go into the formation of ozone: (1) concentration of nitric



oxide and VOC (volatile organic compound) (emissions), (2) sunshine (ultra-violet light), (3) inversion layer intensity, (4) low wind speeds, and (5) warm temperatures.

Mr. Feldstein also presented chemical symbols displaying the reactions of these elements; and a graph depicting the peaks and dissipation levels of nitric oxide, nitrogen dioxide, and ozone.

Director Hughan stated the SCAQMD had just completed two days of hearings on ozone and the problems did not appear as simple as they were being presented. Mr. Feldstein stated the South Coast had non-attainment for NO<sub>2</sub>; that emissions were double those in the Bay Area; and the ratios here were very different from there. Mr. Feldstein stated the strategy being used by the District was working in that the ozone concentrations had been significantly reduced.

There was discussion regarding ozone being a by-product of several precursors and the possible use of the Liraq model to determine how the ozone standard will be obtained.

- - -

#### REPORT ON PENALTY SETTLEMENTS

Mr. Feldstein reviewed his report entitled, Report on Penalty Settlements, dated February 26, 1986, Regarding the Disposition of Penalties Collected as a Result of any Settlement Agreement with Pacific Refining Company in Rodeo, California; stating staff was in agreement with District Counsel's opinion that it would be inappropriate to provide any portion of penalties collected to third parties; that collected penalties were placed in the District treasury and it would be a misuse of public funds if they were given to Contra Costa County for the benefit of the citizens of Rodeo.

Mr. Feldstein further stated sharing collected penalties would:

- (1) establish a precedent which would invite requests from all manner of agencies and individuals to share in penalty settlements; thus reducing revenue available to the District; and
- (2) the cost to the District for pursuing the Pacific Refining case was in excess of \$268,000.00, and the proposed settlement would not cover the District's cost; and that staff was recommending if there was a necessity for a citizens group or anyone else to seek relief from a company which was violating the law, that the entity and the violator negotiate a monetary settlement; pointing out that the citizens of Rodeo had filed a multi-million dollar lawsuit against Pacific Refining, alleging damages.

Director McPeak stated she had proposed the sharing of the fines because circumstances surrounding the Pacific Refining case were very unusual and extraordinary; recalling the abatement order process and the direct involvement of the Board of Directors, as well as directing staff to file a lawsuit against Pacific

Refining; that the establishment of the Task Force which included the Contra Costa County Health Department and District Attorney's Office, the citizens, and Pacific Refining, and the subsequent agreement by all to its recommendations, was the first time the District had experienced such a collaborative effort.

Chairperson Silver stated she would temporarily remove herself as Chair to participate in the discussion.

Vice-Chairperson Ogawa presiding.

Director F. Cooper questioned the pending legal action, asking whether was a civil or criminal suit; stating if it was a civil action, the proposal would be considered an illegal gift of public funds; and if it were a criminal action, the judge had the power to require restitution; that legislation would be required to allow the consideration of restitution and that it would be better to have a Superior Court judge make a decision regarding payment to individual complainants.

Director Nicolopoulos questioned the legality of such a process, the alternatives and the parameters needed to carry out such a proposal.

There was discussion regarding the legality and precedent-setting nature of such a disposition. Director Silver stated the District needed the cooperation of communities residing near polluters; that sharing the penalties would encourage a level of community participation; and that she would support a 25% payment to a trust for the purpose of bettering the air quality in that area to be disposed at the direction of the community, and would be willing to put the recommendation in the form of a motion.

Mr. Powell stated the proposal would be illegal; but at the direction of the Board, the District could, in its negotiations, take into consideration an agreement between the County and Pacific Refining Company.

Director P. Cooper stated penalties were not revenue and should not be considered to recoup costs; that if sharing penalties were illegal, he would recommend exploring alternatives without violating any laws; suggesting the Board, in administering the budget, set aside an amount (in terms of staff time) to be put into a community that was affected by a particular violator.

Director Davis stated he was concerned that the sharing of penalties and set-asides reduced the amount of money the District would receive; that aggressive action would always involve others; a precedent would be set if a settlement were structured to share penalty fees with a community; that he had no objection to coercing Pacific Refining into giving \$25,000 to the community, and there would be more cases like Pacific Refining and Rodeo as the District aggressively pursued violators who contaminated the air.



Director F. Cooper left at 11:00 A.M.

Director Britt pointed out that a penalty was an enforcement mechanism; that the Pacific Refining case was unique only in its scope; and recommended giving the APCO authority to take into consideration any agreements made between the community and Pacific Refining.

Director Speier stated she would support an effort to try to assist a community that had suffered over a long period of time by providing air quality measures.

Director Aramburu stated the discussions should have been held in a closed session; the action would be a precedent; and \$50,000 would be a substantial amount to subtract from the budget.

Director McPeak moved to direct staff, in negotiating the penalty settlement with Pacific Refining, take into consideration any proposed offer by Pacific Refining to provide community services or projects, and to reach a monetary agreement with Contra Costa County; seconded by Director Silver.

Director Wilson restated the motion as she understood it; stating in addition to the final agreement between the District and Pacific Refining, the District should encourage them to make additional efforts to engender the goodwill of the community and credibility with the Board of Directors.

Director E. Campbell stated the recommendation as made was piecemeal; and the District should have a policy that is consistent with the rules and regulations of the Bay Area Air Quality Management District.

Director S. Campbell stated she, too, had problems with the motion as stated and requested clarification as to its intent; whether the amount was negotiable because of the consideration being given to the community; further stating that negotiating at a lower amount would cut into the penalty fees received.

Vice-Chairperson Ogawa called for a vote; and upon roll call, the motion failed:

AYES: Britt, P. Cooper, McPeak, Nicolopoulos, Silver, Wilson.

NOES: Aramburu, E. Campbell, S. Campbell, Davis, Doetsch, Hughan, Ogawa, Rudee, Speier.

ABSENT: F. Cooper, Diridon, Moskowitz.

Director Aramburu stated the Board might consider setting a policy in place that could be integrated into the budget process.

Chairperson Silver presiding.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein stated Director Britt had called a Legislative Committee meeting to be held at 8:30 A.M., Wednesday, March 19, 1986, so that staff could present a series of bills that have been introduced into the Legislature on which the Board should take a position.

Mr. Feldstein stated he was requesting the Board put over until April 16, 1986 the Public Hearing scheduled for March 19, 1986 - Consideration of Amendments to Regulation 2, Rule 1, Regarding Permit Exemptions, in order to allow staff more time to prepare their presentation of a series of permit exemptions they would request be removed. Mr. Ogawa moved that the Public Hearing be rescheduled to April 16, 1986; seconded by Director Doetsch; carried.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver stated she had officially excused Director F. Cooper at 11:00 A.M.

Chairperson Silver encouraged all Board members to attend the APCA-sponsored conferences as she had attended the most recent conference on Alternatives to Land Disposal of Hazardous Wastes, and found it to be very informative.

Chairperson Silver called attention to a description of a modeling computer program for the IBM PC. Mr. Feldstein advised that Gaussian Diffusion modeling could be done on the PC and that the Liraq model was used for region-wide ozone modeling.

BOARD MEMBERS' COMMENTS

There were none.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, March 19, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:24 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





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**AIR QUALITY MANAGEMENT DISTRICT**

**839 ELLIS STREET**

**SAN FRANCISCO, CA 94109**

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UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
March 19, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Fred F. Cooper, Paul  
L. Cooper, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos,  
Helen B. Rudee, K. Jacqueline  
Speier, Susanne Wilson.

BOARD MEMBERS ABSENT:

Osby Davis, Frank H. Ogawa.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Jack C. Oppenheimer, Daniel V.  
Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Brian Bateman,  
William de Boisblanc, Hulan F.  
Brinkley, Peter Hess, Victor  
Morales-Laimon, Edward W.  
McHugh, John F. Powell, Lewis H.  
Robinson, Carol Bradley.

- - -

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APR 7 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
March 19, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Fred F. Cooper, Paul  
L. Cooper, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos,  
Helen B. Rudee, K. Jacqueline  
Speier, Susanne Wilson.

BOARD MEMBERS ABSENT:

Osby Davis, Frank H. Ogawa.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Jack C. Oppenheimer, Daniel V.  
Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Brian Bateman,  
William de Boisblanc, Hulan F.  
Brinkley, Peter Hess, Victor  
Morales-Laimon, Edward W.  
McHugh, John F. Powell, Lewis H.  
Robinson, Carol Bradley.

- - -

Chairperson Silver called the meeting to order at 9:38 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS PRESENT

Ms. Bradley introduced Messrs. Jack C. Oppenheimer and Daniel V. Phelan of the Advisory Council.

Director Speier arrived at 9:40 A.M.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF MARCH 5, 1986

COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were presented:

Henry L. Gardner  
City Manager  
City of Oakland

David B. Shepard  
Vice-President  
National Controls, Inc.

Willie Lewis Brown, Jr.  
Speaker of the Assembly  
Assembly California Legislature

Michael Vandeman, Ph.D.  
Berkeley, California

Adelia Sabiston  
Ernestine DeFalco  
League of Women Voters

James H. McCall  
Director of Project Finance  
Pooled Loan Marketing Corporation  
Solana Beach, California

Henry L. Gardner  
City Hall  
Oakland, California

Leonard S. Lee  
South San Francisco

Directors McPeak and Wilson arrived at 9:41 A.M.



## REFUNDS

The APCO's report entitled, Refunds, dated March 12, 1986, was presented.

Directors E. Campbell and F. Cooper arrived at 9:42 A.M.

## AUTHORIZATION TO SIGN PURCHASE ORDERS FOR VEHICLES

The APCO's report entitled, Purchase Order for Vehicles, dated March 14, 1986, was presented.

Adopted Resolution No. 1654, In the Matter of Authorizing the Chairperson to Sign a State Purchase Order for 13 Automobiles.

## APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated March 12, 1986, was presented.

## TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds, dated March 12, 1986, was presented.

Adopted Resolution No. 1655, In the Matter of Approving a Transfer of Funds from the Reserve for Contingencies.

## SET PUBLIC HEARING FOR MAY 7, 1986 TO CONFORM DISTRICT'S REGULATIONS TO THE RECENTLY ENACTED SB 1166 ON COGENERATION

The APCO's report entitled, Setting of Public of Hearing - Conflict of Interest Statement, dated March 12, 1986, was presented.

Director Doetsch moved approval of the above Consent Calendar items; seconded by Director S. Campbell; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, F. Cooper, P. Cooper, Diridon, Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos, Rudee, Speier, Silver, Wilson.

NOES: None.

ABSENT: Davis, Ogawa.

## REPORT OF LEGISLATIVE COMMITTEE Harry G. Britt, Chairperson

Chairperson Britt reported the Legislative Committee had met prior to the Board meeting to consider staff proposals as set forth in the APCO's reports entitled, Legislative Report, dated March 12, 1986 and Legislative Report - Addition of AB 4001-

Connelly, dated March 17, 1986; and that the Committee was recommending the Board approve the staff proposal to support ten bills, and take no action on one bill, which were currently before the Legislature in Sacramento.

Director Doetsch moved the adoption of the Committee recommendation on legislation contained in the reports; seconded by Director Speier; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, F. Cooper, P. Cooper, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopoulos, Rudee, Speier, Silver, Wilson.

NOES: None.

ABSENT: Davis, Ogawa.

REPORT OF ADVISORY COUNCIL - CHAIRPERSON LAGARIAS

In the absence of Chairperson Lagarias, Mr. Daniel V. Phelan presented the Advisory Council report entitled, Report of Advisory Council, dated March 13, 1986.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 2, RULE 2, REGARDING THE RENUMBERING OF SECTIONS REGARDING FOOD PROCESSORS

Chairperson Silver opened the public hearing at 9:47 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Feldstein reviewed his report entitled, Public Hearing to Consider Amendments to Regulation 2, Rule 2, dated March 12, 1986, advising the proposed amendments were to renumber three sections pertaining to food processors; and were administrative in nature to correct duplications used in numbering certain sections.

There was no public presentation.

Director Rudee moved the public hearing be closed at 9:49 A.M. and the adoption of Resolution No. 1656, In the Matter of Amending Regulation 2 Relating to Permits for Food Processing Facilities; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, F. Cooper, P. Cooper, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopoulos, Rudee, Speier, Silver, Wilson.

NOES: None.

ABSENT: Davis, Ogawa.



## AIR POLLUTION TOPIC - NITROGEN OXIDES

Using charts and graphs, Mr. de Boisblanc reviewed the role of nitrogen oxide in the formation of air pollution problems, pointing out that they are of concern in ozone formation, acid rain, visibility reduction, and small particle formation. He also indicated that the emissions of nitrogen oxide has remained fairly constant for the past few years.

## WORKSHOP ON GARBAGE BURNING

Mr. Bateman, using graphs and slides, reviewed waste-to-energy facilities, concerning such aspects as control equipment and control techniques to reduce criteria pollutants as well as toxic emissions. There was Board discussion on the political problems in siting such facilities.

Director Aramburu suggested the Board visit, in a year or so, the San Marcos waste-to-energy plant (San Diego, California) to educate the Board of Directors; that the ultimate pollutant was the increase in population, that transportation improvements would not keep pace with pollution, and the Board should take a leadership role in transportation, coordination of land-use planning, and solid waste management.

Chairperson Silver stated the Board was ready to receive the staff and Advisory Council report regarding requiring transportation control measures for new transportation attractors, to which Mr. Feldstein stated a report would be forthcoming.

Director Rudee stated, as a member of the 101 Corridor Action Committee, studying the traffic in San Francisco-Marin-Sonoma County, any information staff could provide to the Committee would be appreciated; that they were currently in Phase II of the study and ready to put new plans into action.

Mr. Feldstein stated controlling growth was not in the jurisdiction of the District, and cities and counties must determine what impact growth will have on transportation and air quality.

Chairperson Silver reminded staff they, and the Advisory Council, were to develop a plan for the Board to review on transportation controls and growth; and should be looking for proposals regarding permitting or imposing a transportation management plan on local jurisdictions.

Mr. Phelan stated the Advisory Council was working on the subject, but did not promise solutions, that the Council was working on a more specific definition of the problems.

Director Nicolopolulos suggested the Board take the position that the problems are known, and should exert their energies and resources in trying to find solutions.

Mr. Feldstein stated that one solution would be that no land-use permits in any city or county be issued unless a study is done and all air pollution impacts are mitigated and a permit was issued by the District. Chairperson Silver stated the District should not consider issuing 100% permits, deleting small in-field construction, but should definitely consider anything major.

There was discussion regarding waste-to-energy plants in Japan and Germany, with Chairperson Silver stating staff should try to arrange a tour of the waste-to-energy plant in Madison, Wisconsin for those Board members who would be attending the National Air Pollution Control Association Conference in Minnesota, June 22-27, 1986.

Chairperson Silver stated it was time for the Board to tell the local jurisdiction decision-makers there was a need for additional controls on their expansionist areas of growth; requesting staff prepare a motion of the sense of the Board embodying perceived solutions to reducing transportation impact and increased growth in the Bay Area Air Quality Management District, through controls on land-use planning; and circulating that draft motion to all the Board members for agendaing at a future meeting.

Director S. Campbell suggested every community needed to address reducing transportation needs by inventorying the skills of the unemployed in their community, the jobs needed, and looking at the strategies to encourage those businesses to locate in the community, thus matching jobs with the unemployment pool in the community.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein reminded the Board that March 19, 1986 was the second anniversary of the I&M Program.

- - -

Mr. Feldstein requested the Board postpone from April 2, 1986 to May 2, 1986 the public hearing to consider amendments to Regulation 8, Rule 11, Regarding Metal Container Closure and Coil Coating Operations.

Director Doetsch moved to postpone from April 2, 1986 to May 21, 1986 the public hearing to consider amendments to Regulation 8, Rule 11, Regarding Metal Container Closure and Coil Coating Operations; seconded by Director Wilson; carried.



CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver stated Mrs. Kildae Gooseff, Deputy Clerk, had been stabbed while walking on Polk Street on Friday, March 14, 1986; that she was out of the hospital, and would entertain a motion of sympathy and condolences be sent to Mrs. Gooseff by the Clerk of the Boards.

Director Doetsch moved to send a motion of sympathy and condolences to Mrs. Gooseff; seconded by Director Speier; carried.

- - -

Chairperson Silver urged the Board members who would be attending the National Air Pollution Control Association Conference in Minneapolis, Minnesota, June 22-27, 1986, to send their reservation requests to the Clerk of the Boards.

BOARD MEMBERS' COMMENTS

Director Diridon called attention to the communication from the League of Women Voters requesting \$22,000, stating he was not on the Budget & Finance Committee, but he and the League should be notified when it is placed on the agenda.

- - -

Director Diridon stated that the "in" commute from Santa Cruz County has become a problem for Santa Clara County in that the automobiles were not subject to the I&M regulations; asking if there was a way to regulate the cars outside of the attainment areas; suggesting the matter be referred to the Legislative Committee of the Board. Chairperson Silver stated she would refer this matter to the District Counsel for an opinion as to whether there is authority under the existing I&M program to require cars that regularly commute into the District be subject to the I&M program, and if no such requirement exists, to propose appropriate legislation to the Legislative Committee.

Mr. Feldstein suggested the Board might want to consider sending a resolution to the Monterey Unified Air Pollution Control District, asking them to consider the possibility of adopting an I&M program to which Chairperson Silver stated such a resolution should be sent with a cover letter explaining how the subject arose, the Board's reasons for concern for each District's citizens, and further, that the same resolution and cover letter be sent to the San Joaquin County Air Pollution Control District.

- - -

Director Diridon thanked staff for holding toxics hearings in his District, stating he appreciated staff attendance and offers of advice.

- - -

Director Speier requested a copy of Speaker of the Assembly Brown's statements on toxics be sent to each Board member, and Chairperson Silver so ordered.

- - -

Director Diridon requested staff agendize a staff report regarding Kaiser Cement at the next regular meeting of the Board.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

Wednesday, 9:30 A.M., April 2, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:18 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
939 ELLIS STREET  
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APR 25 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
April 2, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT: Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Shirley J. Campbell, Fred F.  
Cooper, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hugan,  
Sunne Wright McPeak, Gus J.  
Nicolopoulos, Frank H. Ogawa,  
Helen B. Rudee, K. Jacqueline  
Speier.

BOARD MEMBERS ABSENT: Edward R. Campbell, Harold I.  
Moskowite, Susanne Wilson.

ADVISORY COUNCIL MEMBERS  
PRESENT: John W. Daily, Jack C.  
Oppenheimer, Daniel V. Phelan.

STAFF MEMBERS PRESENT: Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley,  
Laurence G. Chaset, Peter Hess,  
Dario Levaggi, Edward W. McHugh,  
Tom Perardi, Lewis H. Robinson,  
John A. Swanson, Carol Bradley.

- - -

Chairperson Silver called the meeting to order at 9:35 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Dr. John W. Daily and Mr. Daniel V. Phelan of the Advisory Council.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF MARCH 19, 1986

DIVISION MONTHLY REPORTS

The following division monthly activity reports, covering those periods listed, were presented:

<u>Division</u>	<u>Report Period</u>
Enforcement	February 16 - March 15, 1986
Permit Services	February 16 - March 15, 1986
Planning	February 19 - March 18, 1986
Technical Services	February 16 - March 15, 1986
Public Information	February 26 - March 26, 1986
District Counsel	February 25 - March 24, 1986

COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were presented:

Tony Cannata  
Secretary-Treasurer  
Central Labor Council of Contra Costa County (AFL-CIO)

Warren L. Jackman  
Secretary-Treasurer  
Contra Costa Building and Construction Trades Council

Robert J. Duffey  
Business Manager  
Journeyman Plumbers and Steam Fitters  
San Jose, California

John E. Neece  
Executive Secretary  
Santa Clara and San Benito Counties Building and Construction  
Trades Council  
San Jose, California

Pooled Loan Marketing Corporation  
Solana Beach, California



James L. Brown  
Secretary-Treasurer  
Building and Construction Trades Council of Alameda County

Charles E. Fugel  
Business Manager and Financial Secretary-Treasurer  
Plumbers and Gas Fitters Local Union No. 444

Thomas J. Sweeney  
Business Manager/Financial Secretary  
International Brotherhood of Electrical Workers  
Oakland, California

Charles E. Hubbard, Sr.,  
Business Manager  
Napa-Solano Building and Construction Trades Council

William Coss  
Business Agent  
Pipe Trades Council of Northern California

Stanley M. Smith  
Secretary-Treasurer  
San Francisco Building and Construction Trades Council

SET PUBLIC HEARING FOR MAY 21, 1986  
TO CONSIDER AMENDMENTS TO REGULATION 8, RULE 18,  
REGARDING VALVES AND FLANGES AT PETROLEUM REFINERIES

The APCO's report entitled, Setting of Public Hearing, Conflict of Interest Statement, dated March 26, 1986, was presented.

REFERRALS

The APCO's report entitled, Referrals, dated March 26, 1986, was presented.

ASSOCIATION OF BAY AREA GOVERNMENTS CONTRACT APPROVAL

The APCO's report entitled, Approval of Contract with the Association of Bay Area Governments (ABAG), dated March 26, 1986, was presented.

Adopted Resolution No. 1657, In the Matter of Approving a Contract with the Association of Bay Area Governments.

Director F. Cooper arrived at 9:39 A.M.

TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds, dated March 26, 1986, was presented.

Director Davis arrived at 9:42 A.M.

Adopted Resolution No. 1658, In the Matter of Approving a Transfer of Funds from the Reserve for Contingencies.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated March 26, 1986, was presented.

Director Ogawa moved the adoption of the above Consent Calendar items; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, F. Cooper, P. Cooper, Davis, Diridon, Doetsch, Hughan, Nicolopulos, Ogawa, Rudee, Silver.

NOES: None.

ABSENT: E. Campbell, McPeak, Moskowitz, Speier, Wilson.

Director S. Campbell questioned the violation notice notification procedure to alert cities and counties of potential or alleged problems, suggesting city officials and/or county supervisors be notified when a violation notice is issued in the respective Board members' district.

Chairperson Silver requested staff investigate how violation noticing is handled between cities, counties and violators, and to make a report at the next meeting of the Board.

Director Speier arrived at 9:48 A.M.

- - -

STAFF REPORT ON KAISER CEMENT

Chairperson Silver stated Director Diridon had requested this item be placed on the agenda, however, because he would have to leave the meeting early, and had members of his District preparing information relating to Kaiser Cement, he had requested this item be deferred until the next Board meeting

Director Ogawa moved the staff report on Kaiser Cement be deferred until the meeting of April 16, 1986; seconded by Director F. Cooper; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, F. Cooper, P. Cooper, Davis, Diridon, Doetsch, Hughan, Nicolopulos, Ogawa, Rudee, Speier, Silver.

NOES: None.

ABSENT: E. Campbell, McPeak, Moskowitz, Wilson.

Director McPeak arrived at 9:55 A.M.

AIR POLLUTION TOPIC - TOTAL SUSPENDED PARTICULATES  
Staff

Using graphs and slides, Mr. Perardi reviewed the importance of particulate matter in air pollution, including particle size range and effects; outlining the sources of particulate matter, ranging from dust and seaspray to motor vehicle exhaust and other man-made sources; and explained the secondary particulate formation. Mr. Perardi displayed a diagram of a high volume sampler, which is used for measuring particulate; discussed the Bay Area's attainment status; stating San Jose appeared to have a problem with secondary standard. He also discussed the particulate control methods.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein introduced Mr. John A. Swanson, as the new Director of Permit Services.

- - -

Mr. Feldstein stated staff had requested Director Britt to call a meeting of the Legislative Committee for 8:30 A.M., April 16, 1986, to discuss pending legislation. Chairperson Silver so ordered.

- - -

Mr. Feldstein stated staff was in the midst of preparing the budget and estimated it would be approximately one month before it would be ready for review; stating he would like to point out there would be a substantial increase due to the Board's request for a toxics control program.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver stated it was time to call a Personnel Committee to select members to the vacancies on the Advisory Council and directed a meeting be held on April 16, 1986 immediately following adjournment of the Board of Directors meeting.



BOARD MEMBERS' COMMENTS

There were none.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, April 16, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 10:16 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards



BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

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BOARD OF DIRECTORS REGULAR MEETING UNIVERSITY OF CALIFORNIA

Wednesday  
April 16, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Sunne Wright  
McPeak, Harold I. Moskowite,  
Frank H. Ogawa, Helen B. Rudee,  
K. Jacqueline Speier, Susanne  
Wilson.

BOARD MEMBERS ABSENT:

Fred F. Cooper, Roberta H.  
Hughan, Gus J. Nicolopoulos.

ADVISORY COUNCIL MEMBERS  
PRESENT:

John S. Lagarias, Chairperson,  
Daniel V. Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, Peter  
Hess, John G. Laird, Dario  
Levaggi, Edward W. McHugh, John  
F. Powell, Lewis H. Robinson,  
James S. Sandberg, John A.  
Swanson, Carol Bradley.

- - -

Chairperson Silver called the meeting to order at 9:43 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Messrs. John S. Lagarias, Chairperson, and Daniel V. Phelan of the Advisory Council.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF APRIL 2, 1986

COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were presented:

Ron Kelly, Berkeley, California

submitting a resume and two letters of recommendation regarding application for the General Contractor vacancy on the Advisory Council.

REFUNDS

The APCO's report entitled, Refunds, dated April 9, 1986, was presented.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated April 9, 1986, was presented.

SET PUBLIC HEARING FOR JUNE 4, 1986 TO CONSIDER  
AMENDMENTS TO REGULATION 3 REGARDING PERMIT FEES

The APCO's report entitled, Setting of Public Hearing - Conflict of Interest Statement, dated April 9, 1986, was presented.

CANCEL PUBLIC HEARING OF MAY 7, 1986  
REGARDING CODIFICATION OF SB 166, COGENERATION

The APCO's report entitled, Cancellation of Public Hearing, dated April 2, 1986, was presented.

AUTHORIZATION TO SIGN PURCHASE ORDER FOR AIR MONITORING VANS

The APCO's report entitled, Purchase Order for Air Monitoring Vans, dated April 10, 1986, was presented.

Adopted Resolution No. 1659, In the Matter of Authorizing the Chairperson to Sign a Purchase Order for Four Vans.

Director Ogawa moved the adoption of the above Consent Calendar items; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, Doetsch, Moskowitz, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: E. Campbell, F. Cooper, P. Cooper, Davis, Diridon, Hughan, McPeak, Nicolopoulos.

Director P. Cooper arrived at 9:47 A.M.

REPORT OF LEGISLATIVE COMMITTEE  
Harry G. Britt, Chairperson

Chairperson Britt reported the Legislative Committee had met prior to the Board meeting to consider staff legislative proposals; that the Committee was recommending the Board support AB 2702 (La Follette), AB 4397 (Sher), and SB 2027 (Rosenthal), and oppose AB 3823 (Leonard) and AB 4016 (Waters); and further, that the Board communicate to Senator Presley the request that he amend SB 777 to make the I&M Program mandatory where it is now permissive, and to make it permissive at the discretion of the particular district where it is now prohibited.

Director Britt moved the adoption of the Committee recommendation on legislation contained in the report; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, P. Cooper, Doetsch, Moskowitz, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: E. Campbell, F. Cooper, Davis, Diridon, Hughan, McPeak, Nicolopoulos.

Director E. Campbell arrived at 9:52 A.M.

QUARTERLY REPORT OF ARB REPRESENTATIVE  
Roberta H. Hughan

Chairperson Silver noted Director Hughan was absent and stated the report should be placed on the agenda of the May 7, 1986 Board meeting.

QUARTERLY REPORT OF HEARING BOARD  
Ruth H. Koehler

Mrs. Koehler reviewed her report entitled, Sample Format for Hearing Board Quarterly Report to Board of Directors, dated April 16, 1986; stating the report only covered the month of March and the Hearing Board was seeking approval of the format which would



be used for future quarterly reports.

Director Davis arrived at 9:57 A.M.

Director Campbell stated the report would be more helpful if the disposition of each case was listed; e.g., granted, continued, or denied; and Chairperson Silver directed an additional column, listing case disposition, be added to the quarterly reports.

Director McPeak arrived at 9:59 A.M.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 2, RULE 1,  
REGARDING PERMIT EXEMPTIONS (POSTPONED FROM MARCH 19, 1986)

Chairperson Silver opened the public hearing at 10:05 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Publication of Notice of Public Hearing.

Mr. Hess reviewed the APCO's report entitled, Public Hearing to Consider Amendments to Regulation 2, Rule 1, Permits, dated April 9, 1986, stating the proposed amendments were designed to delete certain exemptions contained in the District's permit regulations; the amendments would expand the number of sources subject to the District permit requirements; the sources which are subject to current or proposed emission limits would be required to obtain permits; and the permitting of such sources would improve the District's compliance inspection, emission inventory and data base.

The following speakers made a presentation:

Daniel V. Phelan  
BALIA

supporting concept of expanding the data base and emission inventory.

Director Ogawa moved the public hearing be closed at 10:14 A.M.; seconded by Director Doetsch; carried.

Director Davis questioned the areas of non-agreement on the proposed amendment, to which Mr. Hess responded, the bakery requirements.

Director Britt moved the adoption of Resolution No. 1660, In the Matter of Amending Rule 1 of Regulation 2 Relating to Permits; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, P. Cooper, Davis, Doetsch, McPeak, Moskowite, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: F. Cooper, Diridon, Hughan, Nicolopoulos.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 10,  
RULE 47, REGARDING NATURAL GAS PROCESSING PLANTS

Chairperson Silver opened the public hearing at 10:20 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Laird reviewed the APCO's report entitled, Public Hearing to Consider Adoption of Regulation 10, Rule 47 - Onshore Natural Gas Plants Processing SO<sub>2</sub> Emissions, dated April 9, 1986, and a prepared statement offering background information for the new plan performance standards for Onshore Natural Gas Processing Plant: SO<sub>2</sub> Emissions, stating the proposed rule was for new source performance standards (NSPS) for Onshore Natural Gas Plants Processing SO<sub>2</sub> Emissions in the Oil and Gas Production Industry; and the rule was currently in effect being enforced by the EPA throughout the nation; and the adoption by the Board would delegate enforcement to the District.

Director Ogawa moved the public hearing be closed at 10:30 A.M.; seconded by Director Doetsch.

Director Aramburu requested he be provided with a copy of Mr. Laird's testimony as it was a key issue addressed by opponents and proponents of offshore drilling; that a copy should also be mailed to Secretary of Environmental Affairs, Janeen Sharpless, to show there is unanimous agreement on the strict adherence to offshore drilling rules. Chairperson Silver stated she did not totally concur with that statement and referred to Secretary of the Interior Don Hodel's press release which referred to the selection of the Mediation Institute of Los Angeles and Seattle to serve as facilitator for proposed negotiated rulemaking that would set the Federal standards concerning potential air quality impacts resulting from oil drilling in the Outer Continental Shelf offshore California.

Chairperson Silver directed staff provide the Board with copies of both Mr. Laird's testimony and Secretary Hodel's press release in order to review past efforts regarding offshore drilling; and a report on the air quality implication status be placed on the Board of Director's regular meeting agenda of May 7, 1986.

Director Ogawa moved adoption of Resolution No. 1661, In the Matter of Adopting Rule 47 of Regulation 10 Relating to Onshore Natural Gas Plants; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, P. Cooper, Davis, Diridon, Doetsch, McPeak, Moskowitz, Ogawa, Rudee, Silver, Speier, Wilson.



NOES: None.

ABSENT: F. Cooper, Hughan, Nicolopoulos.

REPORT ON KAISER CEMENT  
Staff

Director Diridon distributed his letter dated April 15, 1986 which responded to Milton Feldstein's March 26, 1986 summary report entitled, Potential Toxic Air Contaminant Emissions from Kaiser Permanente Cement Company, stating as staff had not had an opportunity to review his comments, he would urge the matter be put over until the next meeting. Chairperson Silver so ordered.

Director Aramburu requested that when the matter was agendized, it be very clearly and carefully delineated as to points of disagreement; Chairperson Silver stated the questions of methodology should also be addressed; and Director McPeak stated the safe level of emissions and public health debate issue would have to be addressed, and there was a need to explore what data is available.

Director Diridon stated he would like the staff's report to address where the emissions are coming from if, in fact, they were not coming from Kaiser.

AIR POLLUTION TOPIC  
AIR QUALITY AND METEOROLOGY

Mr. Sandberg reviewed a slide presentation outlining The Ozone and Carbon Monoxide "Seasons", stating ozone excesses only occurred on warm summer afternoons and carbon monoxide excesses occurred only on cold winter nights.

Referring to the slide entitled Daily Change of the Inversion Base, Mr. Sandberg stated in the winter, inversions form at night when the lower layer of air is cool, and that heavy afternoon traffic contributes to the high carbon monoxide level; that during the summer days the inversion is just the opposite because the windspeed picks up because of the temperature difference between the cold ocean and warm valleys which lowers the inversion level.

Mr. Sandberg also outlined the Air Flow Patterns Across the Bay Area For a Typical High Ozone, Low Inversion Summer Day for Night and Early Morning as well as Afternoon and Early Evening.

REPORT OF APCO

Mr. Feldstein reminded the Board of the APCA 1986 meeting to be held in Minneapolis, Minnesota, June 22-27, 1986, referring to air quality topics of interest to the Board, risk assessment and acid deposition.



Referring to a tradition started in 1984, Mr. Feldstein invited Board members to a workshop for elected and appointed air pollution control officials to be hosted by the Texas Air Control Board at the Minneapolis Hyatt Regency, Greenway Ballroom, Section C, Wednesday, June 25, 1986 at 1:30 P.M.

- - -

Mr. Feldstein stated staff was requesting the Personnel Committee meet at the conclusion of the Board meeting of May 7, 1986 to consider personnel matters in the proposed 1986-87 District budget; and the Ad Hoc Building Committee meet at 8:30 A.M., May 7, 1986 to review bids and proceed with plans on the building; and that the Budget and Finance Committee meet to consider the monetary aspects of the proposed 1986-87 budget on May 21, 1986 at 8:30 A.M.; and Chairperson Silver so ordered.

Mr. Feldstein also reminded the Board of Directors of the April 30, 1986 Executive Committee meeting at 9:30 A.M.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver stated she would like to make a change to Section 2-1-425 of Regulation 2, Rule 1: Permits, which was covered during the public hearing today; stating that particular section contained confusing language when referring to the word **unpermitted**, and would entertain a motion to have the word deleted. Director Rudee moved to rescind the action taken earlier during the Public Hearing to Consider Amendments to Regulation 2, Rule 1: Permits; seconded by Director Diridon; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, P. Cooper, Davis, Diridon, Doetsch, McPeak, Moskowite, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: F. Cooper, Hughan, Nicolopoulos.

Director Britt moved to delete the word **unpermitted** from Section 2-1-425 of Regulation 2, Rule 1: Permits and adopt Resolution No. 1660, In the Matter of Amending Rule 1 of Regulation 2 Relating to Permits; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, P. Cooper, Davis, Diridon, Doetsch, McPeak, Moskowite, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: F. Cooper, Hughan, Nicolopoulos.

Chairperson Silver stated the Board's Executive Committee officers would meet with the Advisory Council's Board Liaison Committee at 8:30 A.M., April 30 1986, regarding the rules the Board is suggesting on transportation sources of air pollution and control that might be implemented by the Board.

#### BOARD MEMBERS' COMMENTS

Director Aramburu questioned the timetable for delivering the Minneapolis travel plans to the APCO, to which Mr. Feldstein stated at least 30 days before the meeting.

Director Aramburu stated the Board was glad to see Deputy Clerk Kildae Gooseff had returned to work after the unfortunate stabbing incident and requested the welcome be conveyed.

Director S. Campbell referred to the technical tours of the APCA meeting, stating they were usually very enlightening and informative, and it appeared this year was no exception.

- - -

Chairperson Silver stated Mr. Feldstein had new information regarding the Board's anticipated trip to Madison, Wisconsin to view the garbage burner. Mr. Feldstein stated the facility separates and shreds garbage for burning in a coal power plant and that the power plant did not have very good control technology; suggesting the Board might want to cancel its plans to go to Wisconsin; the Board agreed unanimously.

#### OTHER

There was none.

#### TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, May 7, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:12 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
**939 ELLIS STREET**  
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MAY 23 1986

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday  
May 7, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Rod  
Diridon, Ralph P. Doetsch, Sr.,  
Robert H. Hughan, Sunne Wright  
McPeak, Harold I. Moskowitz, Gus  
J. Nicolopoulos, Frank H. Ogawa,  
Helen B. Rudee, K. Jacqueline  
Speier, Susanne Wilson.

BOARD MEMBERS ABSENT:

Fred F. Cooper, Osby Davis.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Daniel V. Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley,  
Laurence Chaset, Peter Hess,  
John Laird, Teresa G. Lee, Dario  
Levaggi, Edward W. McHugh, John  
F. Powell, Lewis H. Robinson,  
John A. Swanson, Carol Bradley.

- - -

Chairperson Silver called the meeting to order at 9:38 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Mr. Daniel V. Phelan, of the Advisory Council.

PUBLIC PRESENTATION

There was none.

- - -

Chairperson Silver requested Consent Calendar Item Nos. 9, Setting of Public Hearings, and 10, Postponement of Public Hearings, be held for discussion.

APPROVAL OF MINUTES OF APRIL 16, 1986

DIVISION MONTHLY REPORTS

The following division monthly activity reports, covering those periods listed, were presented:

<u>Division</u>	<u>Report Period</u>
Enforcement	March 16 - April 15, 1986
Permit Services	March 16 - April 15, 1986
Planning	March 19 - April 22, 1986
Technical Services	March 16 - April 15, 1986
Public Information	March 26 - April 30, 1986
District Counsel	March 25 - April 28, 1986
Administrative Services	February 28, 1986
Administrative Services	March 31, 1986

COMMUNICATIONS

Albert Aramburu, Secretary

There was none.

TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds from Reserve for Contingencies, dated May 1, 1986, was presented.

Adopted Resolution No. 1662, In the Matter of Approving Various Transfers of Funds from the Reserve for Contingencies.

REFUNDS

The APCO's report entitled, Refunds, dated May 1, 1986, was presented.



## DISPOSAL OF OBSOLETE EQUIPMENT

The APCO's report entitled, Disposal of Obsolete Equipment - Vehicles, dated May 1, 1986, was presented.

## APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated May 1, 1986, was presented.

## NOTICE OF INTENT TO AMEND SECTION 6.10 OF THE ADMINISTRATIVE CODE

The APCO's report entitled, Notice of Intent to Amend Administrative Code Regarding "Alternatives for Committees" Section 6.10, dated April 30, 1986, was presented.

Director Ogawa moved the adoption of the above Consent Calendar items; seconded by Director Doetsch; carried on roll call:

AYES: S. Campbell, P. Cooper, Diridon, Doetsch, Hugan, Moskowitz, Nicolopoulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Aramburu, Britt, E. Campbell, F. Cooper, Davis, McPeak, Speier.

## SETTING OF PUBLIC HEARINGS

TO CONSIDER AMENDMENTS TO REGULATION 8-12:

PAPER, FABRIC, AND FILM COATING FOR JUNE 18, 1986

TO CONSIDER ADOPTION OF REGULATION 8-40: AN AMENDMENT TO REGULATION 2, RULE 1 REGARDING AERATION OF CONTAMINATED SOIL AND REMOVAL OF UNDERGROUND STORAGE TANKS FOR JULY 2, 1986

POSTPONEMENT OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 8, RULE 18, REGARDING VALVES FLANGES AT PETROLEUM REFINERIES UNTIL JULY 2, 1986 (POSTPONED FROM MAY 21, 1986)

Chairperson Silver stated she would request that the public hearings set for July 2, (Items 9.2 and 10) be postponed to July 16, 1986, as she would be out of town on July 2.

Director Rudee moved to set public hearing dates to Consider Amendments to Regulation 8, Rule 12, Paper, Fabric and Film Coating for June 18, 1986; to Consider Adoption of Regulation 8, Rule 40 an Amendment to Regulation 2, Rule 1, Regarding Aeration of Contaminated Soil and Removal of Underground Storage Tanks for July 16, 1986; and Postpone Public Hearing to Consider Amendments to Regulation 8, Rule 18, Regarding Valves and Flanges at Petroleum Refineries until July 16, 1986 (postponed from May 21, 1986); seconded by Director Doetsch; carried on roll call:

AYES: S. Campbell, P. Cooper, Diridon, Doetsch, Hughan,  
Moskowite, Nicolopoulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Aramburu, Britt, E. Campbell, F. Cooper, Davis,  
McPeak, Speier.

Director Britt arrived at 9:44 A.M.

REPORT OF EXECUTIVE COMMITTEE  
Chairperson Silver

Chairperson Silver reported the Advisory Council Board Liaison Committee had met with the Executive Committee officers on Wednesday, April 30, 1986, to discuss the long-range goals and objectives with regard to transportation planning; the Advisory Council is in the process of drafting a model air quality element for the city and county general plans for Board consideration to be circulated to all cities and counties for their consideration. Once such plans were adopted by the cities and counties, the Board would be in a position to determine the types of air quality measures they should be looking at in the planning stages of development projects; and further, that the District would include traffic mitigation as a means of preserving air quality.

Director Wilson stated it would be appropriate to seek an amendment to the State laws to mandate that there be an air quality element in general plans and suggested the matter be referred to the Legislative Committee for review and recommendation. Chairperson Silver so ordered.

Director Aramburu arrived at 9:50 A.M.

Director Hughan suggested the Ventura County Air Quality Planning Element might be helpful; and Chairperson Silver directed staff obtain a copy of the plan.

Director McPeak arrived at 9:51 A.M.

Chairperson Silver stated the Executive Committee had discussed the public information program regarding recalcitrant polluters; that a plan would be implemented whereby such facilities will be the subject of a press release immediately preceding requesting an abatement order before the Hearing Board.

Chairperson Silver moved the report of the Executive Committee be accepted; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, P. Cooper, Diridon,  
Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos, Ogawa,  
Rudee, Silver, Wilson.

NOES: None.



ABSENT: E. Campbell, F. Cooper, Davis, Speier.

QUARTERLY REPORT OF ARB REPRESENTATIVE  
Roberta H. Hughan

Director Hughan reviewed her report entitled, Quarterly Report of My Activities as an ARB Member, dated April 9, 1986, adding that the appointment of John S. Lagarias, Chairperson, Advisory Council, to the State ARB, had been a positive addition to the Board.

Director Speier arrived at 9:56 A.M.

REPORT OF PERSONNEL COMMITTEE  
Chairperson Speier

Chairperson Speier reported the Committee had met on April 16, 1986 to consider applications for the Organized Labor and General Contractor vacancies on the Advisory Council and was recommending Mr. William Coss, Business Agent, Pipe Trades Council of Northern California, (Contra Costa County), be appointed to the Organized Labor category; to complete the unexpired two-year term of Mr. Bruce A. Baxter, resigned, ending January 1, 1987; and Ms. Etta Allen, President and Chief Executive Officer, Allen Heating and Sheet Metal (Marin County), be appointed to the General Contractor category for a two-year period commencing January 1, 1986; and further, recommended the retention of the resumes of Leonard S. Lee and Ron Kelly for future consideration of Advisory Council appointments because of their respective backgrounds in chemistry and indoor air pollution.

Chairperson Speier moved to accept the report recommendations of the Personnel Committee; seconded by Director McPeak; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, P. Cooper, Diridon, Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos, Ogawa, Rudee, Speier, Silver, Wilson.

NOES: None.

ABSENT: E. Campbell, F. Cooper, Davis.

ACCEPTANCE OF PROPOSED 1986-87 DISTRICT AND  
REFERRAL TO APPROPRIATE COMMITTEES FOR REVIEW

Mr. Feldstein reviewed his report entitled, Proposed 1986-87 Budget, dated May 7, 1986, stating no action was necessary at this time; that the Budget would be referred to the Personnel and Budget & Finance Committees for recommendation; and further reminded the Board they would be meeting in closed session at the adjournment of the Board meeting.

Director E. Campbell arrived at 9:59 A.M.

Director Diridon stated the Board and the Executive Committee had



discussed the need for expanding the capacity of the Public Information Department; that it was not recorded in the Budget; and wanted the issue addressed for more effectively communicating the concerns for air quality by either adding additional staff or hiring a consultant for the Public Information and Education Department; and that he would request the Budget & Finance Committee make the recommendation to increase staff for PI&E.

Director P. Cooper questioned the request to upgrade seven positions, stating a job analysis should have been conducted to support the request; and suggested the Personnel Committee pay particular attention to the type of analysis conducted in order to protect the integrity of the system.

#### STAFF REPORT ON AIR QUALITY IMPLICATIONS OF OFFSHORE DRILLING

Mr. Laird reviewed two hand-outs entitled, Production Phase, Emission Estimates and Exploratory Phase Emission Estimates, undated, reviewing the emissions from platform power generators, oil storage and transfers, gas compressors, waste gas disposal, heaters and boilers, crew and supply boats; detailing the onshore support facilities required, stating BACT and offsets were needed for onshore drilling.

Mr. Laird also detailed the emissions from ships hoteling, drilling, and oil handling; advising that the emission impacts on onshore drilling depends on the distance, entry, locations, the mixes and the number of ships working; further stating that the cumulative impact can impede reductions made to achieve attainment.

Director Aramburu expressed concern regarding the significant emissions, stating the Board needed to focus on this problem and make a statement that the Board of Directors would implore that the Governor insist that there be some compliance by companies which are drilling offshore, with the State air requirements. Mr. Feldstein reminded the Board of Secretary of Interior Hodel's negotiated rule-making process; stating the ARB had taken a very strong stand, stating that if there is going to be offshore drilling, the same standards be applied to offshore as onshore drilling. Director Diridon suggested reinforcing the Board's original stand against offshore drilling, suggesting the statement be made that the Board is opposed to offshore drilling, but if it does occur, certain controls should be established. Director Rudee suggested the statement should be the beginning of a new program going beyond what has been done so far; that the District should have representatives at the meetings regarding offshore drilling regulations, and that she would request a copy of John Laird's testimony which had been presented that day.

Director Aramburu offered to attend all meetings regarding the offshore drilling as the official representative for the District; Director Hughan suggested perhaps a letter should be directed to Secretary of Environmental Affairs Janene Sharpless as well as to Governor Deukmejian, supporting the negotiations.

Chairperson Silver directed staff prepare a resolution setting forth the District's position as it relates to offshore drilling; Director Ogawa moved that the Board would designate Director Aramburu as the representative to the negotiating sessions, in addition to District staff members; and that the District be represented at all future meetings on the subject; seconded by Director Diridon; carried.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein reminded the Board of the National Air Pollution Control Association meeting in Minneapolis, Minnesota, June 22-27, 1986, stating in order to take advantage of the reduced air fares, the Board members must express their intention to attend as soon as possible.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

There was none.

BOARD MEMBERS' COMMENTS

There was none.

OTHER

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, May 21, 1986, 939 Ellis Street, San Francisco, California.

CLOSED SESSION TO INSTRUCT DESIGNATED REPRESENTATIVES  
PURSUANT TO GOVERNMENT CODE SECTION 54957.6

The Board adjourned to closed session at 10:58 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards

**BAY AREA**

**AIR QUALITY MANAGEMENT DISTRICT**

**939 ELLIS STREET**

**SAN FRANCISCO, CA 94109**

Jack Leister  
Institute of Governmental Studies  
109 Moses Hall, Univ of Calif Lib  
Berkeley, CA 94720

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May 21, 1986

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JUN 9 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
May 21, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Ralph P. Doetsch, Sr.,  
Sunne Wright McPeak, Gus J.  
Nicolopoulos, Frank H. Ogawa,  
Helen B. Rudee, K. Jacqueline  
Speier, Susanne Wilson.

BOARD MEMBERS ABSENT:

Rod Diridon, Roberta H. Hughan,  
Harold I. Moskowitz.

ADVISORY COUNCIL MEMBERS  
PRESENT:

John S. Lagarias, Chairperson,  
Michael R. Barr, Daniel V.  
Phelan, Kathryn Smick, M.D.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, William  
DeBoisblanc, Peter Hess, Edward  
W. McHugh, John F. Powell, Lewis  
H. Robinson, Carol Bradley.

- - -

Chairperson Silver called the meeting to order at 10:00 A.M.

- - -

The Board observed one minute of silence in the memory of deceased Board member Fred F. Cooper.

#### INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced John S. Lagarias, Chairperson, Michael R. Barr, Daniel V. Phelan, and Kathryn Smick, M.D. of the Advisory Council.

Chairperson Silver presented John S. Lagarias with Resolution No. 1647, In the Matter of Congratulating John S. Lagarias Upon His Appointment to the State Air Resources Board by Governor George Deukmejian.

#### PUBLIC PRESENTATION

There was none.

#### APPROVAL OF MINUTES OF MAY 7, 1986

#### COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were presented:

Alan Ramo  
Citizens for a Better Environment

Harry E. Hoppe  
Melrose Metal Products, Inc.

James H. Robinson  
Executive Director  
Community Development Agency of the City of San Ramon

Paul J. Lazio  
KMG Main Hurdman - Certified Public Accountants

#### REFUNDS

The APCO's report entitled, Refunds, dated May 14, 1986, was presented.

#### SET PUBLIC HEARING FOR JUNE 18, 1986 TO CONSIDER ADOPTION OF DISTRICT 1986-87 BUDGET

The APCO's report entitled, Set Public Hearing for Budget Consideration, dated May 14, 1986, was presented.

AMENDMENT TO SECTION 6.10 OF THE ADMINISTRATIVE CODE  
REGARDING ALTERNATES FOR COMMITTEES

The APCO's report entitled, Amendment to Administrative Code Section 6.10 Regarding Alternates for Committees, dated May 14, 1986, was presented.

Adopted Resolution No. 1663, In the Matter of Amending the Administrative Code.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State-Travel, dated May 14, 1986, was presented.

APPROVAL OF MODIFICATION OF DEFERRED COMPENSATION CONTRACT

The APCO's report entitled, Approval of Modification to Deferred Compensation Plan, dated May 14, 1986, was presented.

Adopted Resolution No. 1664, In the Matter of Approving Changes to the District's Deferred Compensation Plan.

ADOPTION OF RESOLUTION OPPOSING OFFSHORE OIL DRILLING

The APCO's report entitled, Resolution Opposing Offshore Drilling Off California Coast, dated May 14, 1986, was presented.

Adopted Resolution No. 1665, In the Matter of Urging the U.S. Department of the Interior to Oppose Offshore Drilling on the Outer Continental Shelf Adjacent to California.

Chairperson Silver noted the Board's stand on this issue was a major step for the District.

Director Doetsch moved the adoption of the above Consent Calendar items; seconded by Director Rudee; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Doetsch, McPeak, Nicolopoulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Diridon, Hugan, Moskowite.

REPORT OF PERSONNEL COMMITTEE  
K. Jacqueline Speier, Chairperson

Chairperson Speier stated the Personnel Committee had met May 7, 1986 and had accepted the staff recommendation to add the seven full-time and two half-time positions and was recommending approval by the Board; had requested the Personnel Department prepare a formalized analysis of the reclassification and salary



adjustment requests; as well as the reclassification of the vacant Senior Environmental Specialist position for downgrading to a Senior Air Quality Engineer; and that the protest of reclassification of Senior Enforcement Specialist to management status would also be incorporated in the Personnel Department's review and would be submitted to the Personnel Committee at a later date.

Chairperson Speier moved approval of the staff report; seconded by Director Ogawa; carried.

#### REPORT OF THE BUDGET AND FINANCE COMMITTEE

Gus J. Nicolopoulos, Chairperson

Chairperson Nicolopoulos reported the Committee had met prior to the Board meeting to review the proposed 1986-87 District budget; had approved the \$22,000 appropriation to the League of Women Voters for the Bay Area MONITOR publication; would meet at 8:30 A.M., June 4, 1986 to continue discussion on the proposed budget, and would make a recommendation at the Board meeting on that date.

#### REPORT OF ADVISORY COUNCIL

John S. Lagarias, Chairperson

Chairperson Lagarias presented his report entitled, Report of Advisory Council, dated May 21, 1986, reviewing the activities of the Long-Range Planning, Budget Review, and Legislative Committees, stating Mr. Barr would present the report of the Air Quality Planning Committee; and the Advisory Council had elected the following officers for 1986-87: Kathryn Smick, M.D., Chairperson, Michael R. Barr, Vice-Chairperson, and Stana D. Hearne, Secretary.

Mr. Barr reviewed his report entitled, Proposed Addition to General Plan Amendment, Conservation Element, dated May 14, 1986, stating the Board had requested a report regarding land use control; that several options had been reviewed, and the "middle course" approach being presented recommended assisting in **bottom-up** planning efforts of cities and counties throughout the region; and the first step was to prepare a model air quality element for inclusion in city and county general plans.

Mr. Barr stated the air quality element would provide an affirmative duty to conserve air quality and increase coordination between the cities and counties and the District, and provide a mirror-image duty by city and county to consider comments and information provided by the District in the CEQA process on indirect source projects.

Mr. Barr stated city and county adoption of the air quality element in their general plans would reduce congestion, traffic and air quality problems; that specific constructive mitigation ideas were available through the District, and the resolution

urging inclusion of an air quality element in city and county general plans should be provided to all cities and counties and members of the Legislature.

Director Nicolopulos questioned whether there was any perceived economic impact on cities that adopted the amendment, and whether cities and counties would be notified of the pros and cons of the air quality element. Mr. Barr responded city and county economic impacts had not been quantified. Chairperson Silver directed the Advisory Council prepare an economic analysis to determine if there would be any impacts on cities and counties.

Director McPeak suggested the Advisory Council also look at the feasibility of incorporating an air quality check-off box on the initial study form used in the CEQA process in order to eliminate negative declaration projects escaping scrutiny by the District; and Chairperson Silver so ordered.

Director Aramburu moved to amend the resolution on page two, line two, after the word **Council** to include **and the Board of Directors**, as well as change the word **has** to **had**, and to agendize the proposed air quality element in order to consider an implementation plan.

Director Rudee stated cleaner air would result in greater savings to the cost of good health care and this fact should be considered when the Board reviews the cost of the plan implementation; and seconded Director Aramburu's motion.

A roll call vote passed the resolution as follows:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Doetsch, McPeak, Nicolopulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Diridon, Hughan, Moskowitz.

Adopted Resolution No. 1666, In the Matter of Urging Cities and Counties to Include Air Quality Elements in Their General Plan.

Director Speier departed at 10:45 A.M.

#### REVIEW OF OTHER AGENCY APPROACHES TO TOXIC AIR CONTAMINANT MANAGEMENT AND RECOMMENDED DISTRICT APPROACH

Mr. Feldstein reviewed his report entitled, Review of BAAQMD and Other Agencies' Air Toxics Programs and Requirements, dated May 14, 1986, outlining the general approaches, the sources controlled, the use of risk assessment, and the Bay Area Air Quality Management District approach; listing the rules under Regulation 8 that apply to existing sources to reduce specific toxic air contaminants. Also covered were the ARB Preliminary Priority Ranking of Pollutants for Assessment as Toxic Air



Contaminants, the District's adopted Objectives to Reduce the Risk of Exposure to Toxic Air Contaminants, an Inventory Air Monitoring chart of Existing and New Sources, and a list of acronyms and a summary of the selected State and local agencies' air toxics programs.

Staff recommended that the Board approve the staff two-phased program on reducing risks from toxic air contaminant emissions; apply risk assessment requirements on all new or modified construction emitting toxic substances and work to develop regulations under the Tanner process as substances are identified as toxic.

Mark Abramowitz  
Citizens for a Better Environment  
San Francisco, California

complimented the Board and staff for actions taken to control substances; agreed there were a lot of problems with the Monterey Bay Unified Air Pollution Control District report; suggested staff provide additional information and assessments on which CBE would like to review and make comments; and offered that CBE has some information regarding toxics in Contra Costa County.

Director Wilson departed at 11:09 A.M.

There was considerable discussion regarding the setting of standards for existing and new sources; setting a percentage to reduce toxic emissions by; and preparation of a risk assessment report.

Director Doetsch departed at 11:28 A.M.

Chairperson Silver requested staff review the Monterey Bay Unified Air Pollution Control District original plan to evaluate the air toxics program and present a report to the Board on June 4, 1986.

Daniel V. Phelan  
BALIA

recommended adopting the staff recommendation; and stated industry's concern was with parts of the program that might be too stringent or too lenient.

Director Aramburu moved approval of staff recommendation; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, McPeak, Nicolopoulos, Ogawa, Rudee, Silver.

NOES: None.

ABSENT: Diridon, Doetsch, Hugan, Moskowitz, Speier, Wilson.



Director McPeak stated she and Director Cooper would be very happy to work on a targeted effort and that she would like to have staff review the first annual TAC emission inventory and prepare by December 1987 an overall health risk assessment for the region in consultation with the State Department of Health and the Contra Costa Health Department; and Chairperson Silver so ordered.

#### AIR POLLUTION TOPIC - AIR MONITORING

Director Aramburu moved to agendize this item for the June 4 agenda; seconded by Director Ogawa; carried.

#### REPORT OF APCO Milton Feldstein

Mr. Feldstein presented his report entitled, AB 3049 - Mountjoy, dated May 21, 1986, stating this item had been discussed with Director Britt, Chairperson, Legislative Committee, and staff was urging the Board to oppose the bill because it would change the current law so that used cars sold by dealers would not have to be in compliance with air pollution control laws.

Director Ogawa moved to accept staff recommendations; seconded by Director Rudee; carried.

#### CHAIRPERSON'S REPORT Carol Ruth Silver

Chairperson Silver appointed the following as the Nominating Committee: Directors Aramburu, Davis, Rudee, Wilson and herself as Chairperson; stating the Committee would meet briefly following adjournment of the Board meeting.

Chairperson Silver stated she was appointing Director Harry Britt as the replacement for Fred Cooper on the Personnel Committee.

Chairperson Silver appointed an Ad Hoc Committee on Public Education consisting of Albert Aramburu, Rod Diridon and herself; stating the Committee would serve for an undetermined period.

Chairperson Silver directed the List of Acronyms attached to Item No. 15 be incorporated with the Commonly Used Terms in Air Pollution Control which was at each Director's desk.

#### BOARD MEMBERS' COMMENTS

Director Ogawa requested the APCO respond to the letter received from Harry E. Hoppe, Melrose Metal Products, Inc., Fremont, California, complaining about the reception of a violation notice; and Director E. Campbell stated he would like to hear the District's side of this particular argument.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, June 4, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:40 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
**939 ELLIS STREET**  
**SAN FRANCISCO, CA 94109**

Jack Leister  
Institute of Governmental Studies  
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JUN 30 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
June 4, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Sunne Wright  
McPeak, Gus J. Nicolopoulos,  
Frank H. Ogawa, Helen B. Rudee,  
Susanne Wilson.

BOARD MEMBERS ABSENT:

Robert H. Hughan, Harold I.  
Moskowite, K. Jacqueline Speier.

ADVISORY COUNCIL MEMBERS  
PRESENT:

John W. Daily, Ph.D., Daniel V.  
Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Hulan F.  
Brinkley, Peter Hess, Dario A.  
Levaggi, Edward W. McHugh, John  
F. Powell, Lewis H. Robinson,  
John A. Swanson, Carol Bradley.

- - -

Chairperson Silver called the meeting to order at 9:46 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS PRESENT

Ms. Bradley introduced Advisory Council members John W. Daily, Ph.D., and Daniel V. Phelan.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF MAY 21, 1986

DIVISION MONTHLY REPORTS

The following division monthly activity reports, covering those periods listed, were presented:

<u>DIVISION</u>	<u>REPORT PERIOD</u>
Enforcement	April 16 - May 15, 1986
Permit Services	April 26 - May 15, 1986
Planning	April 23 - May 20, 1986
Technical Services	April 16 - May 15, 1986
Public Information	April 30 - May 28, 1986
District Counsel	April 29 - May 27, 1986
Administrative Services	April 30, 1986

COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were presented:

James P. Fox  
District Attorney  
County of San Mateo

regarding procedures for filing revised statements of economic interest.

William F. Walker  
Product Line Manager  
Tekmar Company  
Cincinnati, Ohio

presenting information regarding new equipment for gas chromatography.

Craig Blakely, President  
Beth Gallo, Vice-President  
Lynn Hanlon, Secretary  
Suburban Park Association  
Menlo Park, California

expressing concern over the proposed installation of an 80 MW



refuse-to-energy plant at the Port of Redwood City.

Mabel Harder  
Suisun City, California

expressing objection to alleged deficit spending and the sending of nine staff members to attend the APCO meeting in Minneapolis, Minnesota.

#### AUTHORIZATION TO PURCHASE CAPITAL EQUIPMENT

The APCO's report entitled, Authorization to Purchase Capital Equipment, dated May 28, 1986, was presented.

#### APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated May 28, 1986, was presented.

#### APPROVAL FOR PURCHASE ORDER IN EXCESS OF \$15,000

The APCO's report entitled, Authorization for Chairperson to Sign Purchase Order in Excess of \$15,000, dated May 28, 1986, was presented.

Adopted Resolution No. 1667, In the Matter of Authorizing the Chairperson to Sign a Purchase Order in Excess of \$15,000.

#### DISPOSITION OF OBSOLETE EQUIPMENT

The APCO's report entitled, Disposition of Obsolete Equipment, dated May 28, 1986, was presented.

Director Ogawa moved the adoption of the above Consent Calendar items; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch, Nicolopoulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Hughan, McPeak, Moskowitz, Speier.

#### STAFF REPORT ON KAISER CEMENT

Mr. Feldstein reviewed his report entitled, Report on Kaiser Permanente Cement Company, dated May 30, 1986, which responded to questions raised by Director Diridon regarding the analytical methodology used at Kaiser, use of Cal OSHA values to determine risk, estimation of downwind concentrations; and clarification of health risks associated with emissions.

Mr. Feldstein explained that the most significant measures of risk normally determined in a risk assessment were the highest

risks that any one individual was exposed to and the predicted number of cancer incidences for all individuals exposed; stating the screening values determined in the trace metal study indicated a probability of about six in one million for the Maximum Worst-Case Individual Risk, and 1.6 (over a 70-year lifetime) or one incidence in every 43 years as the Worst-Case Excess Cancer Burden; further noting that the use of actual site-specific meteorological data, (which is not available), and real-world exposure would reduce those worst-case estimates by a factor of 10 to 100.

Director McPeak arrived at 10:00 A.M.

Director Diridon stated he must reject an argument that assumes if you do not know for sure that a substance is unsafe, assume that it is safe; indicating the District could not wait for the Tanner process; that there was a need to be more proactive in determining risk; and there was a need to work with the Kaiser Cement Company to develop pollution control devices to find the problem and come up with an economical and effective solution.

The following individuals spoke on the matter:

Dr. David Morrell  
Special Assistant to the County Executive  
Toxics Management  
Santa Clara County

suggested the Board request more information regarding the stack gas monitoring, investigation of other potential sources, the cost of a separate meteorological study, and the possible need for further risk assessment as it relates to the control measures at the plant.

Thomas O'Donnell  
Attorney  
Kaiser Cement Company

raised the issue of what is safe, stating without a threshold the determination could not be made; that Kaiser was in full compliance with all laws in the area; that they also agreed with the proposal regarding the Tanner process; and that the Integrated Environmental Management Project (IEMP) should not be used to prove Kaiser is a problem.

Frank Stead  
American Lung Association

stated the issue was what do you do in the interim between the discovery of a problem and the Tanner Process; supporting Director Aramburu's suggestion for an interim regulation, though it may not be a good idea because once adopted, it could not be changed for five years. Mr. Stead stated the Board must proceed when it was confronted with evidence that a public health hazard existed.



Director Diridon moved the Board accept the recommendation of Dr. David Morrell as follows: (1) Staff to prepare a report as to whether there is any potential for stack gas monitoring at the Kaiser facility or any other monitoring that could determine Chrome VI? (2) The report should clarify where the 1.6 Worst-Case Excess Cancer Burden cases are. (3) Determine how the situation would look with on-site meteorological data rather than the Moffett-Field Windrow, and (4) Is a further risk assessment needed in the seven-mile area around the facility; determining the costs, whether it was worth doing, and more importantly, whether control measures are in place at the plant? Director Diridon stated he would like to add to that list that staff determine the reliability of baghouse monitoring over time; and that this report be provided by the first meeting in September 1986.

Mr. Feldstein suggested Director Diridon might want to request the Santa Clara County Health Department become involved in the health aspects of the report, to which Director Wilson stated she would add to the motion that the staff would seek the assistance of the Santa Clara County Health Department where appropriate; seconded by Director Aramburu; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch, McPeak, Nicolopulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Hugan, Moskowite, Speier.

There was discussion regarding the cost of such studies and the possibility of the affected body sharing the cost of such research.

Chairperson Silver directed the staff also prepare cost estimates for the work done for the various reports that the Board requests.

Director McPeak stated the report would be a scope of work to outline the cost and extent of further analysis, but that the bottom line would be if there was a problem what to do about it, and could the Board reduce the risk in the interim. Director McPeak stated that after the report had been completed, it would be appropriate to bring together the parties in a formalized working relationship to get to the bottom line to reduce the overall risk.

Chairperson Silver ordered that the report receive public dissemination especially to the residents in Santa Clara County, so they would be aware that everything possible had been done by the District to determine the source of the problem.

Director Diridon left at 11:10 A.M.



REPORT OF THE BUDGET AND FINANCE COMMITTEE  
Gus J. Nicolopoulos, Chairperson

Chairperson Nicolopoulos stated the Committee had met on May 21, 1986 and June 4, 1986 to review the proposed 1986-87 District budget; was recommending the \$22,000 appropriation to the League of Women Voters of the Bay Area MONITOR publication; and the approval of the staff recommendation of the proposed 1986-87 budget; and Committee member Davis had dissented because of reservations on the Personnel processes.

Chairperson Nicolopoulos moved to accept the report recommendation; seconded by Director Aramburu; carried.

Director Davis stated he suggests the Board authorize transfers within divisions of line items without the need to report to the Board each time, but to report the transfers from the Reserve for Contingencies and have an accounting at the end of each year.

REPORT OF PERSONNEL COMMITTEE

Chairperson Silver stated the Personnel Committee report would be made in Closed Session at the end of the Board meeting.

PUBLIC HEARING TO CONSIDER AMENDMENTS  
TO REGULATION 3 REGARDING PERMIT FEES

Chairperson Silver opened the public hearing at 11:15 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Feldstein reviewed his report entitled, Public Hearing to Consider Amendments to Regulation 3: Fees, dated May 28, 1986, stating the District is authorized to collect approximately 62% of its budget in permit fees; that the District has never imposed the full cost, collecting only half of what is authorized under State law, and was proposing a 19% increase over present fees, or approximately \$780,000.

Mr. Hess outlined the increases, delineating seven proposed fee-generating amendments as attached to Mr. Feldstein's report.

The following individuals spoke on the matter:

T. R. Weller, Sr.  
Consultant  
Wine Institute

questioned the proposed rule as it related to the wine industry.

Mr. Feldstein stated that the wineries were exempted from permits and fees.

Director Ogawa moved the public hearing to be closed at 11:40

A.M. and the adoption of Resolution No. 1668, In the Matter of Amending Regulation 3 Relating to Fees; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Doetsch, McPeak, Nicolopulos, Ogawa, Rudee, Silver.

NOES: None.

ABSENT: Diridon, Hugan, Moskowitz, Speier, Wilson.

AIR POLLUTION TOPIC - AIR MONITORING

Chairperson Silver stated, in the interest of time she would postpone this item until the meeting of June 18, 1986.

REPORT OF APCO

REPORT OF ORIGINAL MONTEREY TOXIC PROPOSAL

Chairperson Silver stated this item would be lengthy and she would postpone discussion to the meeting of July 2, 1986.

RESOLUTION URGING THE GOVERNOR TO RETAIN IN THE STATE BUDGET  
INCREASED SUBVENTION TO LOCAL AIR POLLUTION CONTROL DISTRICTS  
AND AIR QUALITY MANAGEMENT DISTRICTS

Director Wilson moved the adoption of Resolution No. 1669, In the Matter of Urging the Governor of the State of California to Retain Air Resources Board Budget Item No. 3400, Which Increases Subvention to Local Districts; seconded by Director Ogawa; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Doetsch, McPeak, Nicolopulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Diridon, Hugan, Moskowitz, Speier.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver stated she would entertain a motion to place Director Paul L. Cooper as a full member of the Personnel Committee, and as an alternate member on the Legislative Committee; that the Ad Hoc Committee on Public Education be comprised of Directors Diridon, McPeak, Speier, and herself.

Director Wilson moved the adoption of these recommendations; seconded by Director Aramburu; carried.

Chairperson Silver stated the Nominating Committee would be

meeting immediately following the Board meeting and that she would like to add Director Diridon to that Nominating Committee, to which District Counsel advised that there are five members on this Committee and according to the Administrative Code a sixth member could not be appointed.

#### BOARD MEMBERS' COMMENTS

Director Aramburu noted that Mr. Feldstein, Mr. Ed Miller and he had met with Ms. Knaster of the Mediation Institute on Outer Continental Shelf (OCS) developments; that the District would like to be on the Negotiating Committee which was to meet three times per month in the development of rules.

Director Aramburu stated he had volunteered to be on the Negotiating Committee and was requesting that the APCO be authorized to select District personnel to work with him on the Committee. Director Wilson so moved; seconded by Director Ogawa; carried.

- - -

Director Ogawa stated the Board should offer its congratulations to the Board members who had run in the offices that they were seeking and that letters of congratulation be sent to Directors Diridon, McPeak, Speier and Wilson.

Chairperson Silver so ordered.

#### OTHER

Mr. Edward W. McHugh, Director of Public Information and Education Division, announced that Professor Joseph Soporowski of Rutgers, New Jersey, who is the president of the National Air Pollution Control Association, had just informed the District that Mr. Milton Feldstein had been elected as the first Vice-President of APCA.

#### TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, June 18, 1986, 939 Ellis Street, San Francisco, California.

- - -

The Board adjourned to Closed Session to instruct designated representatives pursuant to Government Code Section 54957.6, at 11:49 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT  
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SAN FRANCISCO, CA 94109

Jack Leister  
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June 18, 1986

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JUL 8 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
June 18, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Carol Ruth Silver, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Roberta H.  
Hughan, Harold I. Moskowitz,  
Frank H. Ogawa, Helen B. Rudee,  
K. Jacqueline Speier, Susanne  
Wilson.

BOARD MEMBERS ABSENT:

Ralph P. Doetsch, Sr., Sunne  
Wright McPeak, Gus J.  
Nicolopoulos.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Barry R. Horn, M.D., Jack C.  
Oppenheimer, Daniel V. Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, Peter  
Hess, Dario Levaggi, Ellen  
Linder, Edward W. McHugh, John  
F. Powell, Lewis H. Robinson,  
Wayman Siu, John A. Swanson,  
Carol Bradley.

- - -



Chairperson Silver called the meeting to order at 9:35 A.M.

CLOSED SESSION TO INSTRUCT DESIGNATED REPRESENTATIVES  
PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Chairperson Silver adjourned the meeting to Closed Session at 9:36 A.M.; and resumed the meeting to public session at 9:44 A.M.

Directors Diridon and Wilson arrived at 9:44 A.M.

District Counsel John Powell reported the Board had received a status report from designated representatives regarding negotiations, and had given instructions.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS PRESENT

Ms. Bradley introduced Advisory Council members Barry R. Horn, M.D., Jack C. Oppenheimer and Daniel V. Phelan.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF JUNE 4, 1986

COMMUNICATIONS

Albert Aramburu, Secretary

The following communications were presented:

Office of the Clerk  
Community Redevelopment Agency  
City of Danville, California

giving Public Notice of Joint Public Hearing on the Redevelopment Plan and Final Environmental Impact Report for the Downtown Redevelopment Project.

Richard T. Bottarini  
Planning Director  
City of San Ramon  
San Ramon, California

presenting a Notice of Preparation of a Draft Environmental Impact Report on the San Ramon Redevelopment Project Plan.

Mabel F. Harder  
Suisun City, California

presenting her opinion and analysis of the 1986-87 District budget, and requesting a copy of her letter be presented to each Board member at the Board meeting of June 18, 1986.

## REFUNDS

The APCO's report entitled, Refunds, dated June 12, 1986, was presented.

## DISPOSAL OF OBSOLETE EQUIPMENT

The APCO's report entitled, Disposal of Obsolete Equipment, dated June 12, 1986, was presented.

## PRESENTATION OF DISTRICT AUDIT REPORT FOR 1984-85

The APCO's report entitled, District Audit Report for 1984-85, dated June 12, 1986, was presented.

## APPROVAL OF AMENDMENTS TO AGREEMENTS OF 1971 WITH REDEVELOPMENT AGENCY IN CONNECTION WITH THE BUILDING ADDITION

The APCO's report entitled, Amendment to 1971 Agreement with the Redevelopment Agency in Connection with the Building Addition, dated June 12, 1986, was presented.

Adopted Resolution No. 1670, In the Matter of Authorizing the Air Pollution Control Officer to Approve an Amendment to the District's Agreement with the Redevelopment Agency.

Director Ogawa moved the adoption of the above Consent Calendar items; seconded by Director Britt; carried on roll call:

AYES: Britt, E. Campbell, S. Campbell, Cooper, Davis,  
Diridon, Hughan, Moskowite, Ogawa, Rudee, Silver,  
Speier, Wilson.

NOES: None.

ABSENT: Aramburu, Doetsch, McPeak, Nicolopoulos.

## REPORT OF PERSONNEL COMMITTEE K. Jacqueline Speier, Chairperson

Chairperson Speier reported the Committee had met prior to the Board meeting to review the District Personnel Section report regarding the staff request to reclassify the vacant Senior Environmental Specialist position to Senior Air Quality Engineer in the Permit Division; that the Committee was recommending the Board approve the request to downgrade the vacant Senior Environmental Specialist position to Senior Air Quality Engineer, and moved adoption of the Personnel Committee report; seconded by Director Cooper; carried.

Adopted Resolution No. 1671, In the Matter of Reclassifying One Senior Environmental Specialist Position.



REPORT OF NOMINATING COMMITTEE AND ELECTION OF OFFICERS FOR 1986-87  
Carol Ruth Silver, Chairperson

Chairperson Silver stated Director Aramburu had requested this item be delayed until later in the meeting upon his arrival.

PUBLIC HEARING TO CONSIDER ADOPTION OF DISTRICT BUDGET  
AND ACCOMPANYING RESOLUTIONS FOR 1986-87

Chairperson Silver opened the public hearing at 9:48 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Feldstein reviewed his report entitled, Public Hearing to Consider Adoption of District Budget and Accompanying Resolutions for 1986-87, dated June 12, 1986, stating the proposed budget had been reviewed by the Personnel and Budget and Finance Committees; that the Personnel Committee had recommended 1) approval of the additional staff positions; 2) approval of inclusion of funds in the budget to cover the cost of position reclassifications; and 3) review of all proposed position reclassifications by the District Personnel Manager; and that the Budget and Finance Committee had recommended to the Board that the budget be approved.

Mr. Feldstein stated the recommendations of the Committees were approved by the Board, and further, that based on current estimates, no General Reserve funds would be needed to balance the 1986-87 budget; that the Memorandum of Understanding with the Employees Association had not been approved by the Association, but that staff was recommending the Board adopt the 1986-87 budget as presented, which included eight accompanying resolutions.

Director Wilson questioned what would happen to the extra monies that would not be needed to balance the budget, to which District Counsel John Powell stated when all monies were received, any excess would go into the Reserve Fund. Director Wilson suggested the Board receive a report in September 1986 which would indicate the total amounts in all Reserve funds; Chairperson Silver so ordered.

Director Moskowitz apologized for having missed previous meetings at which the proposed budget had been discussed; questioning what other agencies were currently monitoring toxic wastes. Directors Diridon and Wilson responded the Environmental Protection Agency had the authority but they were not monitoring waste efficiently and, when they did monitor, they were doing it very slowly; that Santa Clara County had been looking at toxic contamination of water and air; but that the Board had felt the District staff had more expertise to look at air.



Director Davis raised questions regarding the additional income from counties, the reduction of expenses in various accounts, and noted the assets increased for the proposed building addition by \$100,000 and questioned why; to which Mr. Bell responded furnishings were needed for the new addition.

Mr. Davis further complimented staff for their cooperation when responding to his questions and requests, but stated he would be voting against the budget because he did not feel he had enough information.

Director Cooper questioned why the budget resolutions were prepared as eight separate documents, suggesting one comprehensive resolution would be more manageable.

There was no public presentation.

Director Ogawa moved the public hearing be closed at 10:07 A.M.; seconded by Director Diridon; carried.

Chairperson Silver suggested it might be more feasible to contract with an outside firm to perform the payroll record-keeping responsibilities; directing staff to prepare a report evaluating the feasibility of contracting work out.

Director Wilson moved adoption of the following resolutions; seconded by Director Diridon; carried on roll call:

AYES: Britt, E. Campbell, S. Campbell, Cooper, Diridon, Hughan, Moskowitz, (abstaining), Ogawa, Rudee, Silver, Speier, Wilson.

NOES: Davis.

ABSENT: Aramburu, Doetsch, McPeak, Nicolopoulos.

Resolution No. 1672, In the Matter of Transferring Funds from the unencumbered Balance of Appropriations to Fund Balance Available.

Resolution No. 1673, In the Matter of Authorizing Transfer of Funds to Provide for Expenses of the District.

Resolution No. 1674, In the Matter of Authorizing the Air Pollution Control Officer to Sell or Dispose of Surplus or Obsolete Equipment.

Resolution No. 1675, In the Matter of Approving the Budget for the Bay Area Air Quality Management District for the Fiscal Year Ending June 30, 1987 (FY 1986-87).

Resolution No. 1676, In the Matter of Transferring Funds from Permanent Salaries to a Reserve for Adjustments for Prior Years.

Resolution No. 1677, In the Matter of Transferring Funds from Balance Available to the General Reserve and Providing for the Continuance of General Reserve from Year to Year.

Resolution No. 1678, In the Matter of Transferring Funds from the General Reserve to Continue Other Reserves.

Resolution No. 1679, In the Matter of Amending the Salary Ranges of District Employees and Providing Fringe Benefits.

Chairperson Silver stated staff should explore outside agencies when reviewing the request for reclassification to ensure comparability.

Director Cooper moved to have staff prepare one comprehensive resolution to pass the budget in future budget requests; seconded by Director E. Campbell; carried.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 8,  
RULE 12, REGARDING PAPER, FABRIC, AND FILM COATING OPERATIONS

Chairperson Silver opened the public hearing at 10:12 A.M.

Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Ms. Ellen Linder reviewed the APCO's report entitled, Public Hearing to Consider Amendments to Regulation 8, Rule 12: Paper, Fabric and Film Coating, dated June 11, 1986, stating staff was recommending amendments to the rule by deleting Sections 8-12-110.3, Exemption: Low Solvent Coatings, and 8-12-401, Compliance Schedule, and adding (or changing) the following sections: 8-12-201, Approved Emission Control System, and 8-12-301, Limitations, Coating Lines.

Ms. Linder stated staff was also recommending compliance using the "bubble" concept, stating staff was proposing adding the following new sections: 8-12-303, Alternative Emission Control Plan; 8-12-501, Coating Records; and 8-12-502, Alternative Emission Control Plan Records.

There was discussion regarding the "bubble" concept, that it would result in a small net increase and the appearance that the "bubble" concept would reduce protection of the environment in order to accommodate industry.

There was no public presentation.

Director S. Campbell moved the public hearing be closed at 10:20 A.M., and that Resolution No. 1680, In the Matter of Amending Rule 12 of Regulation 8 Relating to Paper, Fabric and Film Coating, be adopted; seconded by Director Rudee; carried on roll call:



AYES: Britt, E. Campbell, S. Campbell, Cooper, Davis, Hughan, Moskowitz, Rudee, Silver, Speier.

NOES: None.

ABSENT: Aramburu, Diridon, Doetsch, McPeak, Nicolopoulos, Ogawa, Wilson.

IMPLEMENTATION PLAN FOR AIR QUALITY ELEMENTS  
OF CITY AND COUNTY GENERAL PLANS

Mr. Feldstein presented his report entitled, Proposed Approach to Gain Approval of Air Quality Elements in City and County General Plans, dated June 11, 1986, stating staff was recommending each Board member may want to take the matter up with each of their Boards of Supervisors and/or City Councils.

Director Rudee referred to the accompanying document entitled, Proposed Addition to General Plan Amendment, Conservation Element, dated May 14, 1986, stating the paragraph which began "Guidance of the Bay Area Air Quality Management District shall be sought..." stated all Environmental Impact Reports and negative declarations would be referred to BAAQMD for consultation; and that the size, calibre and/or standard of negative declarations should be indicated.

Mr. Feldstein explained that the Board had directed staff to analyze and determine the sizes of negative declarations that the staff would offer consultation.

Chairperson Silver stated because this document would be attached to the resolution it was proper to amend it during the Board meeting; Director Rudee moved to amend the Proposed Addition to General Plan Amendment, Conservation Element, to reflect a size and calibre of negative declarations; seconded by Director Diridon; carried.

Chairperson Silver stated this information would be sent to planning departments and city managers throughout the nine county regions.

Director Ogawa moved to accept staff's Proposed Approach to Gain Approval of Air Quality Elements in City and County General Plans; seconded by Director Rudee; carried on roll call:

AYES: E. Campbell, S. Campbell, Cooper, Davis, Diridon, Hughan, Moskowitz, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Aramburu, Britt, Doetsch, McPeak, Nicolopoulos.



Chairperson Silver stated it would be the individual and particular responsibility of each Board member who cast an "aye" vote to take the Proposed General Plan Element to their individual community and promote its adoption.

Director Cooper stated he had presented the air quality element to the Contra Costa County Conference of Mayors and had received a positive response from the Mayor of the City of Antioch, who stated the air quality element would be ready for adoption in their city by early 1987.

#### AIR POLLUTION TOPIC - AIR MONITORING

Mr. Siu presented his Report on Air Monitoring, undated, which outlined the rationale for air monitoring, the Air Monitoring Section Division denoting the Field Operations Northern and Southern Areas, as well as the Quality Assurance and Special Programs and Data Review and Operations Support.

Mr. Siu also referred to the various stations maintained and their parameters of operation on variable schedules; and finally, displaying a flow chart depicting the daily air monitoring data system.

Director Aramburu arrived at 10:45 A.M.

#### REPORT OF AIR POLLUTION CONTROL OFFICER Milton Feldstein

Mr. Feldstein stated he would like to remind the Board members who would be attending the National APCA meeting in Minneapolis that each member should have received a summary of the most interesting topics and called their attention to the APCA seminar to be held on Wednesday, June 23, 1986.

#### REPORT OF NOMINATING COMMITTEE AND ELECTION OF OFFICERS FOR 1986-87 Carol Ruth Silver, Chairperson

Chairperson Silver noted the presence of Director Aramburu, stating the Committee consisting of Directors Aramburu, Davis, Rudee, Wilson and herself, had met and were making the following recommendations for Officers for the 1986-87 fiscal year:

Frank H. Ogawa, Chairperson  
Albert Aramburu, Vice-Chairperson  
Susanne Wilson, Secretary

Director Wilson stated she was pleased that she had been nominated, but had to decline the nomination, and moved to amend the recommendation of the Nominating Committee to include Director Ralph P. Doetsch, Sr., as the Secretary; seconded by Director Rudee; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Hughan, Moskowitz, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: Doetsch, McPeak, Nicolopoulos.

CHAIRPERSON'S REPORT  
Carol Ruth Silver

Chairperson Silver distributed a statement outlining the Board of Directors' achievements for the 1985-86 fiscal year, expressing the joy she experienced as Chairperson of the Board and how much she was looking forward to continuing to work with the new Officers; thanking all for their help, advice and support.

BOARD MEMBERS' COMMENTS

Director Aramburu stated Marin had had a Toxics Clean-Up Day which exceeded their expectations by 100%; that the clean-up day had been a recommendation of Director Speier, and that he was thanking her and Mr. Feldstein for their help.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, July 2, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:08 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards

**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
**939 ELLIS STREET**  
**SAN FRANCISCO, CA 94109**

Jack Leister  
Institute of Governmental Studies  
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JUL 2 1 1986

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday  
July 2, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Frank H. Ogawa, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos,  
Frank H. Ogawa, Helen B. Rudee,  
Carol Ruth Silver, Susanne  
Wilson.

BOARD MEMBERS ABSENT:

K. Jacqueline Speier.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Kathryn Smick, M.D., Jack C.  
Oppenheimer, Daniel V. Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Peter Hess, Dario Levaggi,  
Edward W. McHugh, Thomas E.  
Perardi, Toby Sherwood, John A.  
Swanson, Thomas E. Wider, Carol  
Bradley.

- - -

Chairperson Ogawa called the meeting to order at 9:33 A.M.

- - -

Chairperson Ogawa recessed the meeting at 9:34 A.M. in order that the incoming officers could be photographed by the Public Information and Education Department. The meeting was resumed at 9:37 A.M.

#### INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Kathryn Smick, M.D., Chairperson, and Daniel V. Phelan of the Advisory Council.

#### PUBLIC PRESENTATION

There was none.

#### APPROVAL OF MINUTES OF JUNE 18, 1986

Ms. Bradley requested the following amendment to the minutes on page eight, paragraph two, line two: "...**Contra Costa County Conference of Mayors** and had received a positive response from the Mayor, **City of Antioch**, who stated the air quality element..."

#### DIVISION MONTHLY REPORTS

The following reports, covering those periods listed, were presented:

<u>DIVISION</u>	<u>REPORT PERIOD</u>
Enforcement	May 16 - June 15, 1986
Permit Services	May 16 - June 15, 1986
Planning	May 21 - June 17, 1986
Technical Services	May 16 - June 15, 1986
Public Information	May 28 - June 23, 1986
District Counsel	May 28 - June 23, 1986
Administrative Services	May 31 - 1986

#### COMMUNICATIONS

Ralph P. Doetsch, Secretary

The following communications were presented:

Mr. & Mrs. Howard Hasik  
Alameda, California

encouraging the Board of Directors to adopt a program regulating toxic air contaminants.

Terry Maderos  
Grant Program Manager  
California Energy Commission  
Sacramento, California

presenting notification that the California Energy Commission will start accepting funding requests from local agencies for the Siting and Permit Assistance Program for July 1, 1986.

Senator Pete Wilson  
United States Senate  
Washington, D.C.

presenting information regarding Congressional funding of mass transit systems for fiscal year 1987.

#### REFUNDS

The APCO's report entitled, Refunds, dated June 25, 1986, was presented.

#### REFERRALS

The APCO's report entitled, Referrals, dated June 25, 1986, was presented.

#### APPROVAL OF EMPLOYEE BENEFIT RESOLUTION FOR PERS Milton Feldstein

The APCO's report entitled, Approval of Employee Benefit Resolution for PERS, dated June 25, 1986, was presented.

Adopted Resolution No. 1681, In the Matter of Fixing the District's Contribution Under the Public Employees' Medical and Hospital Care Act.

#### APPROVAL OF CONTRACT WITH LEGISLATIVE REPRESENTATIVE

The APCO's report entitled, Contract with Legislative Representative, dated June 25, 1986, was presented.

Adopted Resolution No. 1682, In the Matter of Approving a Contract with the District's Legislative Representative for Fiscal Year 1986-87.

#### APPROVAL OF CONTRACT WITH LEAGUE OF WOMEN VOTERS

Director Davis requested this item be removed from the Consent Calendar for discussion later in the meeting after staff reviewed the contract.



AUTHORIZATION FOR APCO TO SIGN AND SUBMIT  
FEDERAL GRANT AND STATE SUBVENTION APPLICATIONS

The APCO's report entitled, Authorization for Air Pollution Control Officer to Sign and Submit State and Federal Grant Applications, dated June 23, 1986, was presented.

Adopted Resolution No. 1683, In the Matter of Authorizing the Air Pollution Control Officer to Submit Applications for State and Federal Subvention Grants.

APPROVAL OF MEMORANDUM OF UNDERSTANDING AND POLICY STATEMENTS

The APCO's report entitled, Approval of Memorandum of Understanding of Policy Statements, dated June 25, 1986, was presented.

Director Davis stated he would like the Education Reimbursement Policy of the Memorandum of Understanding to include language that would refer to an employee receiving credits for courses taken. Mr. Feldstein assured Director Davis that this language would be included.

Adopted Resolution No. 1684, In the Matter of Approving an Amended Memorandum of Understanding.

POSTPONE PUBLIC HEARING ON REGULATION 8, RULE 18, CONCERNING  
VALVES AND FLANGES AT PETROLEUM REFINERIES FROM JULY 16 TO AUGUST 6, 1986

The APCO's report entitled, Postponement of Public Hearing, dated June 25, 1986, was presented.

Director Silver moved adoption of the above Consent Calendar items with the amendment to the minutes, the deferring of the Approval of Contract with League of Women Voters to later in the meeting, and the addition of language in the Educational Reimbursement Policy of the Memorandum of Understanding to include language acknowledging employees receiving credits for courses they have taken; seconded by Director McPeak; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch(abstaining), Hughan, McPeak, Moskowitz, Nicolopoulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Speier.

Mr. Feldstein reviewed his report entitled, Staff Evaluation of the Monterey Bay Unified Air Pollution Control District's Original Toxic Air Contaminants Proposed Regulation, dated June 25, 1986, which was not adopted, stating the rule recently adopted only applied to new or modified sources and exempted service stations, which emit benzene and dry cleaners, which emit perchlorethylene; that the adopted rule used threshold limit values (TLV's) to derive long-term exposure limits; that the use of TLV's was unsuitable for determining long-term exposure effects. The original rule would have required revocation of existing permits or retrofitting of existing facilities, prior to the development of regulations via the Tanner Process.

Mr. Feldstein stated the District had an effective program and would allow air monitoring programs to be established so real data could be collected as well as source emission data being established to determine the degree of control which would be required under the Tanner process.

There was discussion regarding the criteria used to presume certain substances were toxic; the strategy to reduce air toxic emissions as a means to decrease risks to health; and concern that the Monterey Bay rule might not have long-term validity.

The following speakers made a presentation:

Mark Abramowitz  
Citizens for a Better Environment (CBE)

stated there was a misinterpretation on what the Monterey Bay rule does; displayed a chart on the Monterey Bay approach; and suggested an approach that would not be limited to TLV's.

Director Silver suggested it might be appropriate to consider if the District should change its rule to include technical review and BACT review as part of the inventory process on either an annual or five-year basis.

There was discussion regarding the proposed annual inventory reports, what they will do, and how frequently they will be done.

Director Rudee stated she was supportive of what the District was doing and hoped that at the end of the year the District would be able to compare the status reports with other areas, including Monterey Bay.

There was considerable discussion regarding new sources and existing sources and the need to improve the District's program.

Mr. Feldstein stated the Monterey Bay Unified Air Pollution Control District's staff was in the process of evaluating the BAAQMD critique of the adopted rule, and would submit their comments at a later date.



Director Aramburu stated he would not support a motion to bring this item back on the agenda unless it addressed specific questions; Director Nicolopulos stated, as the Chairperson of the Budget and Finance Committee, he had budgetary concerns, suggesting the District look at the money that was being spent to evaluate this rule.

After further discussion, Director Diridon moved to refer to the Advisory Council for a report back to the Board regarding the issues of: (1) how frequently the District should have an emission inventory, (2) what items should be on that inventory, and (3) what additional control technology could be used to control toxics; seconded by Director McPeak; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Speier.

Jean Siri  
West Contra Costa Conservation League  
West Contra Costa Grey Panthers

congratulated the Board on their concern about toxic emissions, stating in the past 15 years this was the best Board she had seen.

Daniel V. Phelan  
BALIA

stated overall, BALIA believed the present District program for new, modified, and existing sources using risk assessment and the Tanner Process was an orderly and scientific approach; that BALIA members were not knowingly emitting toxic air contaminants in an amount that will significantly affect public health; that they feared new rules might be too restrictive; and would like the opportunity to review any new information.

#### AIR POLLUTION TOPIC - EMISSION INVENTORY

Due to the lateness of the hour, Chairperson Ogawa deferred this item to the September 3, 1986 Board meeting.

#### REPORT OF APCO Milton Feldstein

Mr. Feldstein reported Assemblyman Cortese had carried AB 3752 to increase the Board annual per diem from \$3,600 to \$6,000 per fiscal year, and that the bill had been signed by the Governor.



Mr. Feldstein stated Governor Deukmejian had cut the Legislature's request for an additional \$2,000,000 in local subvention, but had added \$500,000 for rural districts and asked ARB to study how the present \$7,000,000 in subvention funds might be redistributed.

- - -

Director Moskowitz left at 11:17 A.M.

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Mr. Feldstein announced that the Golden West Section of the APCA would sponsor a conference regarding waste-to-energy facilities, including incineration of garbage, recycling and landfill problems on October 30-31, 1986; that the California Supervisors' Association and League of California Cities had been asked to co-sponsor the meeting to be held at the Cathedral Hill Hotel.

Director Diridon pointed out that considering the cost of land-fill, it was almost economical to consider recycling alternatives; that he would move the Board create an Ad Hoc Committee to begin concentrating on the issue of curbside recycling and the air pollution impact of waste-to-energy cogeneration plants; seconded by Director Rudee; carried.

Chairperson Ogawa appointed Director Diridon as Chairperson of the Ad Hoc Committee on Recycling and directed he select five Board members to serve. Director Britt volunteered to be a member.

- - -

Director Diridon left at 11:25 A.M.

Mr. Feldstein reviewed the National APCA Conference held June 22-27, 1986 in Minneapolis, Minnesota, stating one important issue was the statutory December 31, 1987 attainment date for ozone and carbon monoxide standards; that the Administrator of EPA was developing a post-attainment standard designed to avoid the impositions of sanctions on federal funds for roads and sewage plants, and would examine regulations currently in place to assure they are being properly enforced; that toxic air contaminants were critically reviewed; and indoor quality effects on people and the toxic burden was a major concern; finally stating the District programs were far ahead of other States in its approach to controlling air pollution and toxics.

Mr. Feldstein added that Director Aramburu would be the Chairperson of the Elected Officials Workshop at the National APCA meeting in June 1987 to be held in New York City.

In response to Director Davis' request that the League of Women Voters contract include a clause stating the Bay Area MONITOR publication provide educational material regarding the Bay Area Air Quality Management District, Mr. Feldstein reported the contract contained a clause on page 13 regarding the scope of services which covered the publication of educational material regarding the District.

Director Aramburu moved the Board approve the contract; seconded by Director Rudee; carried.

Adopted Resolution No. 1685, In the Matter of Approving a Contract with the League of Women Voters for Fiscal Year 1986-87.

CHAIRPERSON'S REPORT

Frank H. Ogawa

Chairperson Ogawa stated he would present the Board Standing Committee assignments at the July 16, 1986 meeting; that the August 20, 1986 Board meeting was cancelled; and that the Executive Committee would continue to meet on the fifth Wednesday of the month, and the next meeting was July 30, 1986.

BOARD MEMBERS' COMMENTS

Director Aramburu stated the Minneapolis APCA was the best he had ever attended, suggesting the Board obtain a short synopsis on the some of the papers presented, including indoor air pollution, and the June 21-25, 1987 conference in New York would be well worth the members' time.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, July 16, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:33 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
939 ELLIS STREET  
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Jack Leister  
Institute of Governmental Studies  
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AUG 11 1986

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday  
July 16, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Albert Aramburu, Vice-  
Chairperson, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Harold I. Moskowitz, Gus J.  
Nicolopoulos, Carol Ruth Silver.

BOARD MEMBERS ABSENT:

Sunne Wright McPeak, Frank H.  
Ogawa, Don Perata, Helen B.  
Rudee, K. Jacqueline Speier,  
Susanne Wilson.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Stana D. Hearne, Jack C.  
Oppenheimer, Daniel V. Phelan.

HEARING BOARD MEMBER  
PRESENT:

Kenneth A. Manaster,  
Chairperson.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, Peter  
Hess, Teresa G. Lee, Dario  
Levaggi, Sandra Lopez, Edward W.  
McHugh, John F. Powell, Lewis H.  
Robinson, John A. Swanson, Carol  
Bradley.

- - -

Vice-Chairperson Aramburu called the meeting to order at 9:44 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Ms. Stana D. Hearne and Mr. Daniel V. Phelan of the Advisory Council.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF JULY 2, 1986

COMMUNICATIONS

Ralph P. Doetsch, Sr., Secretary

The following communications were presented:

Dr. Ken Pascal  
Division of Extended Education  
California State University  
Fresno, California

announcing the Symposium on Causes and Effects of Air Pollution in Central California, to be held August 18-19, 1986 at the Holiday Inn Centre Plaza, Fresno, California.

Hilda Creque  
El Cerrito, California

encouraging the Board of Directors to monitor toxic air contaminants.

Tony Senior  
Sales Representative  
Baron Blakeslee  
Newark, California

requesting the Board adopt new or supplemental language and limits in Regulation 8-16-301 regarding vapor degreasers.

Alan Ramo  
Citizens for a Better Environment

expressing approval of determination by APCO that all BAAQMD risk assessments for toxics will include a cumulative evaluation.

Eunice M. Brecht  
Clerk of the Board  
County of San Mateo Board of Supervisors

indicating that the Board of Supervisors of San Mateo County have received the District's June 30, 1986 letter urging cities and



counties to include an air quality element in their general plan.

Robert J. Nuspliger  
Manager, Product Marketing  
Environmental Systems Corporation  
Knoxville, Tennessee

presenting information regarding computer modeling systems for hazardous airborne releases.

Eddie Peabody  
Director of Development Services  
City of Danville  
Danville, California

presenting a Notice of Preparation of an Environmental Impact Report for its Downtown Master Plan and Downtown Redevelopment Project.

John Mann  
Calibrated Instruments, Inc.  
Ardsley, New York

presenting information regarding instrumentation for gas sampling.

David W. Baker  
Deputy Town Manager  
Community Development  
Town of Moraga, California

indicating that the draft language relating to air quality policy will be considered in the General Plan Review Program of the Town of Moraga, California.

Mark J. Riesenfeld  
Marin County Planning Director  
Marin County Planning Department

indicating that the Marin County Planning Department staff is preparing a work program for a revision of the County's general plan and anticipates including analysis of air quality and policies implementation measures for improving air quality.

#### REJECTION OF CLAIM AGAINST DISTRICT

The APCO's report entitled, Claim of Celeia Moya, dated July 9, 1986, was presented.

#### SETTING OF PUBLIC HEARINGS

The APCO's report entitled, Setting of Public Hearing - Conflict of Interest Statement, dated July 9, 1986, was presented:

September 3 - Consideration of Amendments to Regulation 8,  
Rule 3: Architectural Coatings.

September 17 - Consideration of Amendments to Regulation 8,  
Rule 34: Landfill Operations.

October 1 - Consideration of Amendments to Regulation 2,  
Rule 2: New Source Review.

APPROVAL OF OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel,  
dated July 9, 1986, was presented.

Director Doetsch moved the adoption of the above Consent Calendar  
items; seconded by Director Silver; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper,  
Diridon, Doetsch, Hughan, Moskowitz, Nicolopoulos,  
Silver.

NOES: None.

ABSENT: Davis, McPeak, Nicolopoulos, Ogawa, Perata, Rudee,  
Speier, Wilson.

- - -

Vice-Chairperson Aramburu stated he had granted the request of  
Hearing Board Chairperson, Kenneth A. Manaster, to present the  
Quarterly Report of the Hearing Board out of sequence.

QUARTERLY REPORT OF HEARING BOARD  
Kenneth A. Manaster, Chairperson

Mr. Manaster presented his report entitled, Hearing Board  
Quarterly Report - April-June, 1986, dated July 9, 1986, offering  
a summary of cases actually heard during the last quarter;  
stating the report did not include 28 emergency variances decided  
by the Hearing Board during the quarter and other cases filed,  
but not yet heard.

Director Davis arrived at 9:50 A.M.

Mr. Manaster stated there were two major cases heard by the  
Hearing Board during the quarter, the Appeal of the Kaiser Cement  
Corporation, currently under submission, and the Accusation  
against the Dexter Corporation Midland Division, which was  
expedited because of the odor nuisance created in Hayward; that  
the hearings begin in April 1986 and concluded in June 1986; that  
one of the hearings was held in Hayward, California and Director  
Shirley Campbell had attended; and that the Hearing Board had  
requested Counsel to prepare a draft Unconditional Order for  
Abatement.



Director Doetsch questioned which division of Orchard Supply Company was having problems, to which Mr. Manaster stated the San Jose site had leaking gas tanks. Director Nicolopulos raised a question about the South San Francisco Deluxe Packaging case, and Mr. Manaster stated it related to coatings and offered to provide Director Nicolopulos with a copy of that Order.

Director Silver stated most Board members were interested in the Hearing Board report as it related to their own jurisdiction; and recommended the affected Director be notified when a company in his/her District was involved in a Hearing Board proceeding. Mr. Feldstein stated staff had a policy to notify Directors when three or more violation notices for the same offense had been received; and that the Director, or an assigned representative, could attend the office conference that is held.

#### APPROVAL FOR CLASSIFICATION AND SALARY SURVEY

Mr. Feldstein reviewed his report entitled, Approval of Contractor for Classification and Salary Survey, dated July 9, 1986, stating five bid proposals to conduct the classification-salary pay equity study had been received; that staff had carefully considered each bidder's cost estimate, reputation, scope of work, and experience; that Ralph Anderson & Associates had conducted classification and salary surveys for the District in the past, had extensive experience working with public agencies, particularly with the pay equity issue, but had exceeded the \$30,000 amount authorized by the Board for a classification and salary survey; that staff was recommending the Board authorize the Chairperson to sign a letter of intent with Ralph Anderson & Associates to conduct a classification and salary analysis, including a point-factor pay equity element, and that funds were available to make up the difference of \$1,100 needed.

Director Nicolopulos questioned the legal ramifications for the Board if they decided to select the highest bidder; to which Counsel John Powell stated there was less danger in a personnel survey contract than a construction contract.

There was considerable discussion regarding the selection of Ralph Andersen & Associates, with Director Silver stating she felt there were a number of local companies that could perform the same survey; Director Moskowitz stated Napa County had contracted with Andersen & Associates and was not pleased with the results of that study; Director Davis questioned the classification and salary survey experience of the other bidders, whether they were qualified to do the work, and whether any were minorities; stating he had a problem recommending the highest bidder and going outside of the area, in addition to a public agency consistently conducting business with the same contractors because the process did not give new contractors an opportunity to gain experience.



Director Diridon stated a process evaluating the contractors was needed, and that he would recommend the item be held over to a later date to allow the Board members an opportunity to review the scope of work of all of the bidders.

Director Doetsch stated Ralph Andersen & Associates had been in business for quite a while and were reputable; and that it was his feeling with the amount of experience they had they should be able to do the job for less money.

Vice-Chairperson Aramburu directed the matter be referred to the Personnel Committee. Director Cooper suggested the Personnel Committee might meet July 30, 1986, at 9:00 A.M.; that staff should be prepared to provide a report responding to the questions raised by the Board and that each firm's experience, including comparable worth studies, should be outlined.

The Board discussed the budget deliberations regarding the position reclassification requests and the fact that questions were still pending; and Vice-Chairperson Aramburu directed staff provide the Personnel Committee with a status report on reclassifying the positions for discussion at the July 30, 1986 Personnel Committee meeting. Director E. Campbell stated he would like a copy of the responses to the Request for Proposal on the salary survey sent to him prior to that meeting, to which Mr. Feldstein stated staff would provide copies of the responses to regular and alternate members of the Committee.

QUARTERLY REPORT OF ARB REPRESENTATIVE  
Roberta H. Hugan

Director Hugan requested this item be deferred to the August 6, 1986 meeting; and Vice-Chairperson Aramburu so ordered.

PUBLIC HEARING TO CONSIDER ADOPTION OF REGULATION 8, RULE 40,  
AND AMENDMENT TO REGULATION 2, RULE 1, REGARDING AERATION OF  
CONTAMINATED SOIL AND REMOVAL OF UNDERGROUND STORAGE TANKS

Vice-Chairperson Aramburu opened the public hearing at 10:30 A.M. and Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Ms. Sandra Lopez reviewed the APCO's report entitled Public Hearing to Consider Adoption of Regulation 8, Rule 40, and the Amendment of Regulation 2, Rule 1 - Aeration of Contaminated Soil and Removal of Underground Storage Tanks, dated July 9, 1986, and the Errata Sheet (same title), dated July 15, 1986, stating the proposed rule was designed to control organic emissions from the aeration of contaminated soil and the removal of underground storage tanks; that it would affect gasoline service stations, facilities with underground storage tanks, and facilities with soil that have been contaminated with organic compounds; that the proposed rule limits the quantity of soil that may be aerated in

any one day, sets requirements for the decommissioning, vapor freeing and ventilation of underground storage tanks; and that staff was proposing the addition of an exemption from District permit requirements for the affected sources.

Ms. Lopez further stated that Section 602 of the proposed Regulation 8, Rule 40 be replaced, and a new Section 602 be substituted to address all of the combinations of analytical techniques used by the Regional Water Quality Control Board which had been determined to be acceptable for testing the volatile organic content of soil; as well as the addition of a new Section 603 to the proposed Regulation 8, Rule 40, which would prescribe the procedures required to determine compliance with Regulation 8, Rule 40, Section 302.

Director Silver raised questions about the structure of the rule, suggesting the possibility of a burn-day system for aeration of contaminated soil.

The following individual spoke on the matter:

Don Gilson  
Chevron U.S.A.  
San Francisco, California

complimented staff on the conduction of the two public workshops held; stating Chevron and other organizations made recommendations they felt would make the rule more workable.

Director Silver moved the public hearing be closed at 10:44 A.M. and the adoption of Resolution No. 1686, In the Matter of Adopting Rule 40 of Regulation 8 Relating to the Aeration of Contaminated Soil and to the Removal of Underground Storage Tanks and Providing a Limited Permit Exemption for Soil Aeration; seconded by Director S. Campbell; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, Moskowitz, Nicolopoulos, Silver.

NOES: None.

ABSENT: McPeak, Ogawa, Perata, Rudee, Speier, Wilson.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein introduced Ms. Terry Lee of the District's Public Information & Education Department, who called attention to the brochure entitled, Open Burning Information, which had been distributed to each Board member; stating its purpose was to acquaint new residents with the open burning requirements of the Bay Area Air Quality Management District, as well as provide information to people who are affected by the rule. Ms. Lee



stated the Public Information & Education Department hoped to do a major publicity campaign, distributing the brochure through inspectors to Fire Departments, U.S. Department of Forestry, the Farm Bureau, etc., within the next two months. Director Diridon complimented staff on the appearance of the brochure.

#### BOARD MEMBERS' COMMENTS

Director Doetsch called attention to the communications, questioning the need to continue the practice of mailing out these communications in their entirety following the Board meeting. Director Silver stated she was interested in looking at the material; Director Diridon suggested the communications be made available for review at the Board meetings, and any Board member desiring to review a particular communication could present that request to the Secretary of the Board. Vice-Chairperson Aramburu directed the practice of mailing the communications to the Board of Directors be suspended for the next few months.

Director Doetsch departed at 10:51 A.M.

Director S. Campbell stated that on July 2, 1986 she presented the air quality element for the general plan amendment to the Alameda County Mayors' Conference, and that various cities and jurisdictions would be working on their general plan update to include some language from the air quality element. Director Silver stated she had introduced the general plan element to the Board of Supervisors for the City and County of San Francisco and had requested the item be referred to committee, asking for a full public hearing, to give environmentalists and others an opportunity for a full public hearing.

- - -

Director Diridon stated he would like to call a meeting of the Ad Hoc Committee on Waste-To-Energy Facilities during the last part of August, depending upon the availability of the members, and was requesting the Clerk of the Boards set up that meeting; further requesting the Board members provide staff with any information they had regarding waste-to-energy facility conversions.

#### CHAIRPERSON'S REPORT

Vice-Chairperson Aramburu presented Chairperson Ogawa's report entitled, Committee Assignments, dated July 16, 1986, stating if any member desired to change his membership on a Committee, they should inform Chairperson Ogawa.

- - -

Vice-Chairperson Aramburu presented former Chairperson Carol Ruth Silver with a plaque complimenting her on her many achievements



as Chairperson of the Board of Directors in 1985-86.

OTHER

Mr. Bell stated the staff hoped to have a meeting of the Ad Hoc Committee on Building on August 6, 1986 and would notify the members if and when that meeting is set.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, August 6, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:03 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards

BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

Jack Leister  
Institute of Governmental Studies  
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Berkeley, CA 94720

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SEP 5 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
August 6, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Frank H. Ogawa, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Rod  
Diridon, Ralph P. Doetsch, Sr.,  
Roberta H. Hughan, Sunne Wright  
McPeak, Harold I. Moskowitz, Gus  
J. Nicolopoulos, Helen B. Rudee,  
Carol Ruth Silver, K. Jacqueline  
Speier.

BOARD MEMBERS ABSENT:

Osby Davis, Don Perata, Susanne  
Wilson.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Kathryn Smick, M.D.,  
Chairperson, Stana D. Hearne,  
Jack C. Oppenheimer, Daniel V.  
Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, Peter  
Hess, Dario Levaggi, Edward W.  
McHugh, Thomas E. Perardi, John  
F. Powell, John A. Swanson,  
Carol Bradley.

- - -



Chairperson Ogawa called the meeting to order at 9:31 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Kathryn Smick, M.D., Chairperson, Ms. Stana D. Hearne, and Mr. Daniel V. Phelan of the Advisory Council.

PUBLIC PRESENTATION

There was none.

Director Britt arrived at 9:33 A.M.

APPROVAL OF MINUTES OF JULY 16, 1986

DIVISION MONTHLY REPORTS

The following reports, covering those periods listed, were presented:

<u>DIVISION</u>	<u>REPORT PERIOD</u>
Enforcement	June 16 - July 15, 1986
Permit Services	June 16 - July 15, 1986
Planning	June 18 - July 22, 1986
Technical Services	June 16 - July 15, 1986
Public Information	June 23 - July 22, 1986
District Counsel	June 24 - July 30, 1986

COMMUNICATIONS

Ralph P. Doestch, Secretary

The following communications were presented:

Bernadette Carroll  
City Clerk  
City of Concord

indicating the air quality element language has been presented to the City Council.

N. Davis  
City Clerk  
City of Danville

enclosing the property description and Statement of Institution of Proceedings for redevelopment of the Project Area for the City of Danville Downtown Redevelopment Project.

Phil Batchelor  
Clerk of the Board and County Administrator  
Board of Supervisors of Contra Costa County

indicating the Board of Supervisors have approved the inclusion of air quality elements in the Contra Costa County general plan.

Rick Borgwardt  
Environmental Coordinator  
Marin County Planning Department

enclosing a copy of the Initial Study of the Environmental Impact Report prepared by the Marin County Planning Department for the proposed amendments to the Marin City Redevelopment Plan.

Mark Riesenfeld  
Executive Director  
Marin County Redevelopment Agency

enclosing a Preliminary Report to Affected Taxing Entities on the Proposed Amendment to the Redevelopment Plan for the Marin City Redevelopment Project.

#### APPROVAL OF CALIFORNIA AIR RESOURCES BOARD AIR MONITORING CONTRACT

The APCO's report entitled, Approval of Air Monitoring Contract with the California Air Resources Board, dated July 30, 1986, was presented.

Adopted Resolution No. 1687, In the Matter of Authorizing the Air Pollution Control Officer to Execute an Agreement with the Air Resources Board for Air Monitoring.

#### DISPOSAL OF OBSOLETE EQUIPMENT

The APCO's report entitled, Disposal of Obsolete Equipment, dated July 30, 1986, was presented.

#### APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated July 30, 1986, was presented.

#### APPROVAL OF PURCHASE ORDERS IN EXCESS OF \$15,000

The APCO's report entitled, Approval of Purchase Orders in Excess of \$15,000, dated July 30, 1986, was presented.

Adopted Resolution No. 1688, In the Matter of Authorizing the Chairperson to Sign Purchase Orders in Excess of \$15,000.

#### NOTICE OF REJECTION OF BIDS FOR BUILDING ADDITION

The APCO's report entitled, Notice of Rejection of Bids for Building Addition, dated July 31, 1986 was presented.

Adopted Resolution No. 1689, In the Matter of Rejecting All Bids for the Proposed Building Addition.

REPORT OF AD HOC COMMITTEE ON PUBLIC EDUCATION  
Carol Ruth Silver, Chairperson

Chairperson Silver stated the Ad Hoc Committee on Public Education met at 6:00 P.M., July 16, 1986 with Art Blum, Public Relations Consultant, and David Jamison, Advertiser, at the Jamison & Associates office, San Francisco; that because there was not a quorum of the Committee, those present informally discussed the perceived problem and suggestions for a marketing plan; that the marketing outline which she had distributed, undated, adequately described the proposed type of marketing campaign recommended for the District; emphasizing the District had done an outstanding job over the last 30 years and made major strides toward attaining Federal standards, but that more was needed to heighten public awareness of the accomplishments made to date.

Chairperson Silver stated the Committee, District staff, and staff representing Jamison & Associates and the Art Blum Agency would meet at 11:00 A.M., Wednesday, August 13, 1986, to review the proposed marketing plan, and would be making a report to the Board at its next meeting.

REPORT OF EXECUTIVE COMMITTEE  
Albert Aramburu, Vice-Chairperson

Vice-Chairperson Aramburu stated the Committee had met July 30, 1986 having discussed the transfer of funds for public education programs which were covered in the APCO's report entitled Transfer of Funds for Public Information Program, dated July 31, 1986; that the Executive Committee had reviewed and approved the two public information programs for recommendation to the Board to (1) expand the telephone directory listing for the District at an estimated annual cost of \$6,000, and (2) provide the public with useful information concerning the District by means of paid advertisement in 59 Bay Area newspapers at an estimated cost of \$19,000; and that the approval by the Board would require authorizing transfer of funds to implement the program. Vice-Chairperson Aramburu moved acceptance of the report and adoption of Resolution No. 1690, In the Matter of Approving a Transfer of Funds from the Reserve for Contingencies; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopoulos, Ogawa, Rudee, Speier, Silver.

NOES: None.

ABSENT: Davis, Perata, Wilson.

Vice-Chairperson Aramburu stated the APCO's report entitled, Coastal Resources and Energy Assistance Act (Senate Bill 959 - Hart), dated July 23, 1986, discussed the creation of the Offshore Energy Assistance Fund and a local Coastal Improvement



Fund; that the Secretary of Environmental Affairs could award block grants to coastal communities from the offshore energy assistance fund to be used for mitigation of offshore drilling impacts on air quality. Four District counties (Sonoma, Marin, San Francisco and San Mateo) are eligible for such funds; and that staff is proposing that the District develop a program for air monitoring, modeling and such other activities related to offshore drilling for each of the counties to submit to the Secretary of Environmental Affairs in their application for offshore energy assistance funds; and in turn the counties could pass through the funds to the District. He moved the Board approve the proposal for forwarding to the four counties involved; seconded by Director Silver; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Diridon, Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos, Ogawa, Rudee, Speier, Silver.

NOES: None.

ABSENT: Davis, Perata, Wilson.

REPORT OF PERSONNEL COMMITTEE  
Paul L. Cooper, Chairperson

Chairperson Cooper stated the Personnel Committee met on July 1, 1986 to consider the staff report regarding a contractor for the District classification/salary survey which would include a pay equity point factor element, and to review proposed staff reclassifications made in the 1986-87 budget. After careful review and discussion of the pertinent elements of the five bids received, the Committee unanimously recommended that Harvey Rose Accountancy Corporation of San Francisco be selected; that the five position proposals be referred to the contractor; and that any approved reclassifications of the five proposals be made retroactive to July 1, 1986.

Chairperson Cooper moved that the Board accept the recommendations of the Personnel Committee and the adoption of Resolution No. 1691, In the Matter of Approving a Contract for a Salary and Classification Survey; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Diridon, Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos, Ogawa, Rudee, Speier, Silver.

NOES: None.

ABSENT: Davis, Perata, Wilson.

REPORT OF AD HOC COMMITTEE ON WASTE-TO-ENERGY FACILITIES  
Rod Diridon, Chairperson

Chairperson Diridon stated the Committee had met on August 4, 1986 to discuss the general background summary on technically viable waste-to-energy systems; that they were recommending the name of their Committee be changed to Ad Hoc Committee on Resource Recovery Facilities; that they had agreed to create a "white paper" that would describe resource recovery; what Best Available Control Technology (BACT) is acceptable in the Bay Area and outlining the procedure that local jurisdictions would need to go through to build such facilities.

Chairperson Diridon further stated it was the hope of the Committee that staff could prepare the report in a year from September and that the Committee would review the draft report in February 1987.

Chairperson Diridon stated the goal would be to have the Committee and the Board become the regional experts on how to pursue proper waste-to-energy disposal and how to assist the local agencies in doing so.

QUARTERLY REPORT OF ARB REPRESENTATIVE  
Director Roberta H. Hugnan

Director Hugnan presented her report entitled, Quarterly Report of My Activities as an ARB Member, undated, stating she had also been appointed to the Visibility Committee of the Board.

Director Aramburu asked for an explanation of the Consideration of Proposed Benzene Control Plan. Director Hugnan stated the Air Resources Board had not been satisfied with the initial staff report because it had not prioritized which sources of benzene were most important, and that the Board felt they needed to know where to start; that they had sent the report back and that at the June 18-19, 1986 meeting, staff had presented another report with five priorities; and that she would make a copy of this list of priorities available to Director Aramburu.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 8-18  
REGARDING VALVES AND FLANGES AT PETROLEUM REFINERIES  
(POSTPONED FROM JULY 16, 1986) TO BE POSTPONED TO SEPTEMBER 3, 1986

The APCO's report entitled, Postponement of Public Hearing Regarding Regulation 8, Rule 18, Valves and Flanges at Petroleum Refineries, dated July 30, 1986, was presented.

Director Aramburu moved the public hearing be postponed to September 3, 1986; seconded by Director Doetsch; carried.



REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Report on Board Per Diem Policy

Mr. Feldstein presented his report entitled, Per Diem Policy, dated July 31, 1986, stating the Executive Committee had directed staff to review for the Board the Per Diem Policy presently outlined in the statutes and in the District's Administrative Code; that the Board members were entitled to \$100 per day for attending meetings of the Board of Directors or Board Committees; \$100 a day while on official business of the District upon authorization by the Board or by the Chairperson in cases where short notice prevented the full Board from acting; that compensation for the number of meetings in any one day would not exceed \$100; and that effective January 1, 1987 compensation is increased from \$3,600 to \$6,000 in any fiscal year.

There was discussion regarding the maximum \$100 per day compensation being State mandated and/or in the District's administrative code only, and the need for the Legislative Committee to review the existing policy.

Chairperson Ogawa directed that the issue of the Per Diem Policy be referred to the Legislative Committee and instructed staff to prepare a resolution to amend the Administrative Code that would go into effect January 1, 1987.

- - -

Mr. Feldstein stated the Ad Hoc Committee on Resource Recovery Facilities had requested staff report to the Board on AB-3989 (Sher) relating to air pollution and resource recovery projects; that the District's original position on the bill was to watch it, and that it has been amended many times since it was first introduced.

Mr. Feldstein stated the bill was excellent, that it put additional safeguards on the construction of waste-to-energy facilities that protect the public; that there was one technical problem with the bill in that it authorized the ARB to review the District's work on a permit and requests additional information from Applicants; that the objective of that language is to place in law the authority of ARB to override technical analyses of the District. Mr. Feldstein stated staff was recommending the Board support the bill and respectfully request the author (Assemblyman Sner) to delete that language. Director Aramburu so moved; seconded by Director Rudee; carried.

Director Hughan pointed out that it was her understanding that the ARB did not request the insertion regarding the authority to override the technical analysis.

- - -



Mr. Feldstein stated the responses to the air quality element were coming in and that letters would be going out to each supervisor requesting them to make presentations at their individual Board meetings.

#### CHAIRPERSON'S REPORT

Frank H. Ogawa

Chairperson Ogawa stated the NUMMI plant in Fremont had invited the Board of Directors to visit their plant, and he would recommend a day be selected for some time in September 1986.

#### BOARD MEMBERS' COMMENTS

Director Diridon requested that Director McPeak be placed on the Ad Hoc Committee on Resource Recovery Facilities; Chairperson Ogawa so ordered.

- - -

Director Silver noted there were excesses of the State standard for ozone on eight days in June 1986 and questioned whether that was unusual, to which Mr. Levaggi stated it was not unusual to exceed the levels at this time of the year. Director Silver asked for an explanation of why the bids for the building addition had to be rejected; and was it a technical flaw by the District staff or by Mr. Peter Bolles, Architect; stating that the District should not have to pay if the mistake was made by someone else. Mr. Powell stated there was a defect in the procedure for bidding recommended by Mr. Bolles; that a protest was raised relative to that procedure. Director Silver requested legal staff review the rejection of bids to determine if the cost of rebidding should be passed back to Mr. Bolles; and Chairperson Ogawa so ordered. Mr. Feldstein stated staff would prepare a report for presentation to the Building Committee.

Director Silver stated the banking appeared to be working like it was proposed to and questioned what the net benefit was in terms of air pollution control, how much has been placed into the bank and how much has been reduced; requesting staff reports on banking should indicate the difference between actual emissions and the quantity banked, showing the benefit to air quality; and Chairperson Ogawa so ordered.

- - -

Director Aramburu stated the Board had appointed him to be their representative on the OCS Committee; that the first meeting would be Friday, August 8 and that there will be local coastal committees; that he would keep the Board informed as to the progress of the negotiations; and that he will be the spokesman for Northern California on the negotiated rulemaking committee with the Monterey Bay Unified Air Pollution Control District as

his alternate.

- - -

Director Doetsch pointed out that the Communications were available for review by the Board members.

OTHER

There was none.

CLOSED SESSION PURSUANT TO SECTION 54956.9(a) OF THE  
GOVERNMENT CODE REGARDING PENDING LITIGATION (HALL  
VERSUS BAY AREA AIR QUALITY MANAGEMENT DISTRICT)

The Board adjourned to closed session at 10:21 A.M. and reconvened at 10:59 A.M.

TIME AND PLACE OF NEXT MEETING

Wednesday, September 3, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:00 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards

BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109



Jack Leister  
Institute of Governmental Studies  
109 #oses Hall, Univ of Calif Lib  
Berkeley, CA 94720

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SEP 29 1986

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday  
September 3, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT: Frank H. Ogawa, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos,  
Don Perata, Carol Ruth Silver,  
K. Jacqueline Speier, Susanne  
Wilson.

BOARD MEMBERS ABSENT: Helen B. Rudee

ADVISORY COUNCIL MEMBERS  
PRESENT: Kathryn Smick, M.D., Chairperson  
Jack C. Oppenheimer.

STAFF MEMBERS PRESENT: Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, Peter  
Hess, Steve A. Hill, Dario  
Levaggi, T. S. Mangot, Edward W.  
McHugh, John F. Powell, Lewis H.  
Robinson, John A. Swanson, Carol  
Bradley.

- - -

Chairperson Ogawa called the meeting to order at 9:33 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Kathryn Smick, M.D., Chairperson of the  
Advisory Council.

PUBLIC PRESENTATION

There was none.

Directors Britt and Moskowitz arrived at 9:34 A.M.

APPROVAL OF MINUTES OF AUGUST 6, 1986

DIVISION MONTHLY REPORTS

The following reports, covering those periods listed, were presented:

<u>Division</u>	<u>Report Period</u>
District Counsel	July 31-August 25, 1986
Enforcement	July 16-August 15, 1986
Permit Services	July 16-August 15, 1986
Planning	July 23-August 15, 1986
Public Information	July 22-August 25, 1986
Technical Services	July 16-August 15, 1986

COMMUNICATIONS

Ralph P. Doetsch, Secretary

The following communications were presented:

Craig H. Blakely, President  
Suburban Park Association  
Menlo Park, California

responding to California Waste Management Board letter regarding waste-to-energy plant proposed for the Port of Redwood City.

Jananne Sharpless  
Secretary of Environmental Affairs  
Air Resources Board

setting forth the intention of the Air Resources Board to work cooperatively with the District in the negotiated rulemaking process for the Department of the Interior's Outer Continental Shelf air quality regulations.

REFUNDS

The APCO's report entitled, Refunds, dated August 27, 1986, was presented.

DISPOSAL OF OBSOLETE EQUIPMENT

The APCO's report entitled, Disposal of Obsolete Equipment - Vehicle No. 12, dated August 27, 1986, was presented.

REFERRALS

The APCO's report entitled, Referrals, dated August 25, 1986, was presented.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated August 27, 1986, was presented.

## TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds, dated August 27, 1986, was presented.

Adopted Resolution No. 1692, In the Matter of Approving a Transfer of Funds from the Reserve for Contingencies.

Director Doetsch moved the adoption of the above Consent Calendar items; seconded by Director Hughan; carried on roll call:

Ayes: Britt, E. Campbell, Cooper, Davis, Diridon,  
Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos,  
Ogawa, Silver, Speier

Noes: None

Absent: Aramburu, S. Campbell, Perata, Rudee, Wilson

### REPORT OF AD HOC COMMITTEE ON PUBLIC EDUCATION Carol Ruth Silver, Chairperson

Chairperson Silver stated the Committee was awaiting a report from the consultants; had scheduled a meeting for September 11, 1986, and would make a report to the Board at the meeting of September 17, 1986.

### PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 8, RULE 3 REGARDING ARCHITECTURAL COATINGS

Chairperson Ogawa opened the public hearing at 9:35 A.M. and Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Hess reviewed the APCO's report entitled, Public Hearing to Consider Amendments to Regulation 8, Rule 3: Architectural Coatings, dated August 27, 1986, stating staff was recommending the Board approve a six-month extension of the interim non-flat coating emission limits which would allow the Environmental Protection Agency time to review the technical evidence supporting the need for a further extension.

Mr. Hess stated non-flat coatings were commonly labelled as a gloss, semi-gloss or eggshell enamel; was subject to an interim emission limit of 380 grams of volatile organic compounds (VOC) per liter of coating; that the final limit of 250 gram VOC/liter of coating was to become effective September 1, 1986; and that staff was requesting the implementation of the lower limit be delayed for six months until EPA analyzes the technical issues surrounding the coatings which comply with the lower limit. Mr. Hess stated the EPA intended during this six month extension, to suggest amendments to the non-flat coating rule, and that staff would be working with EPA in order to resolve the non-flat coating problem.



Director Hughan stated she supported the extension; and was convinced they have made a lot of effort to make solvent-based coatings comply, though it had not happened yet.

There was no public presentation.

Director Diridon moved the public hearing be closed at 9:41 A.M., and that Resolution No. 1693, In the Matter of Amending Rule 3 of Regulation 8 Relating to Architectural Coatings, be adopted; seconded by Director Silver; carried on roll call:

AYES: Britt, E. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowitz, Nicolopoulos, Ogawa, Silver, Speier.

NOES: None.

ABSENT: Aramburu, S. Campbell, Perata, Rudee, Wilson.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 8,  
RULE 18 REGARDING VALVES AND FLANGES AT PETROLEUM REFINERIES  
(POSTPONED FROM AUGUST 6, 1986)

Chairperson Ogawa opened the public hearing at 9:42 A.M. and Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Hill reviewed the APCO's report entitled, Amendments to Regulation 8, Rule 18, Valves and Flanges at Petroleum Refineries, dated August 27, 1986, stating the proposed changes were to clarify and strengthen the record keeping procedures for valves and flanges subject to the annual Inspection and Maintenance Program; that leaking valves and flanges were a major source of hydrocarbon emissions from refineries, and the proposed amendments would make the District audits of compliance much more efficient.

Mr. Hill stated the regulatory changes would include adding a section to define "reinspection", as well as amending a section to provide that any valve found to be leaking would be permanently identified with a unique code; that valve reinspections demonstrating that a leaker had been successfully repaired, would be scheduled to occur after a 60-day "break in"; and problem valves which resisted repeated repair attempts would be brought to the attention of the District's engineers, and the refinery would be required to outline the measures proposed to solve the problem.

Mr. Hill pointed out that four of the District's six refineries already had programs in place to permanently label all valves and they would not be affected by the new tagging requirement.

There was discussion regarding the names and locations of those refineries having monitoring programs, unique identification codes, and labels for valves.

Directors S. Campbell and Perata arrived at 9:43 A.M.

There was no public presentation.

Director Silver moved the public hearing be closed at 9:49 A.M., and that Resolution No. 1694, In the Matter of Amending Rule 18 of Regulation 8 Relating to Valves and Flanges at Petroleum Refinery Complexes, be adopted; seconded by Director Doetsch; carried on roll call:

AYES: Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos, Ogawa, Perata, Silver, Speier.

NOES: None.

ABSENT: Aramburu, Rudee, Wilson.

Director Wilson arrived at 9:50 A.M.

#### AIR POLLUTION TOPIC - EMISSION INVENTORY

Using graphs and slides, Mr. Mangat reviewed the topic, Emission Inventory, outlining its purpose, how an emission inventory is prepared, and the control jurisdiction breakdown of emissions by agencies. Mr. Mangot displayed diagrams which outlined the Bay Area Emissions by Major Categories (tons/day), the Percent Distribution of Emissions by Major Categories, and Percent Distribution of Emissions by Counties. Graphs utilized by Mr. Mangot indicated the Effect of Control Programs on Emission of Pollutants 1955-1985 and the Emission Reductions Proposed to Achieve Ozone Standard - 1982 Bay Area Plan.

Director Aramburu arrived at 9:54 A.M.

Mr. Mangat offered other report types and their contents categorizing them as the District's Air Quality Handbook, Emission Inventory Summary Report, and a methodology document.

Director Diridon suggested it would be helpful to have a goal on the charts to reflect what the District should be aiming for, so that necessary actions could be taken to meet that standard.

#### REPORT OF AIR POLLUTION CONTROL OFFICER Milton Feldstein

#### Status Report on Air Quality Element in General Plans of Cities and Counties

Mr. Feldstein presented his report entitled, Status of Air Quality Elements in City and County General Plans, dated August 15, 1986, stating staff had contacted all planning departments in the Bay Area to ask them to consider placing in their general plans an air quality element; that the concept had already been



presented to the Mayors' Conferences of Contra Costa and Alameda counties; that it would be presented to the Mayors' Council and supporters and the Oakland City Council in the very near future.

Director Diridon stated the air quality element should be presented to the Intergovernmental Council in Santa Clara County.

Mr. Feldstein stated staff would continue to pressure the cities and counties in getting the information, and that no negative responses had been received.

#### Report Concerning Relocation of Plants (Referral No. 1)

Mr. Hess presented the APCO's report entitled, Cancellation of Public Hearing to Consider Amendments to Regulation 2, Rule 2: Relocations, dated August 27, 1986, stating staff had been directed by the Board to prepare a report regarding relocation of a source within the same facility property limits; that a public workshop was conducted on August 15, 1986 to review and discuss the relocation rule amendments and it was well attended; and that the general consensus was that the rule was not needed and therefore staff was requesting cancellation of the public hearing previously scheduled for October 1, 1986.

Director McPeak expressed disappointment at the staff's recommendation, to which Director Silver elaborated the staff's justification.

There was considerable discussion of the pros and cons of locating each piece of pipe and equipment on a property that was proposing to relocate; the infrequency of large companies making moves within contiguous property lines; restraints imposed by EPA; and a company's option to seek variances through the Hearing Board process.

Director Davis suggested that since it appeared the Hearing Board would handle each request on a case-by-case basis, that perhaps that should be the policy and that the Hearing Board should also look at geographic locations and what the move entails as it relates to equipment when making its decision.

Director Silver moved to cancel the public hearing scheduled for October 1, 1986; requesting staff, within two months, to prepare a report that would examine the possibility of the building permit process being used for relocation of a source within the same facility's property limits; seconded by Director Aramburu; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowite, Nicolopoulos, Ogawa, Perata, Silver, Speier, Wilson.

NOES: None.

ABSENT: Rudee.

- - -



Mr. Feldstein informed the Board that staff would hold a meeting on September 4, 1986 at 10:00 A.M., in the District's offices, to discuss with the four coastal counties affected by the Offshore Energy Assistance Act, the possibility of making use of the offshore assistance funds to provide monitoring and modeling assistance to establish a data base should offshore drilling occur off the coasts of San Francisco, San Mateo, Marin and Sonoma; and that he was requesting the Board members from each affected county to provide support to staff in convincing their counties of the need to develop a program that would be a prototype for the entire Bay Area.

Director Speier stated she had received calls regarding the expenditure of funds to which Mr. Feldstein replied there were two separate funds at issue.

Director Aramburu stated he, too, had been approached with a request from Warner Chabot and BDCD to slow the process down; that the Committee on which he was a member would sit down with Secretary of Environmental Affairs Jananne Sharpless, in order to establish guidelines; that a meeting had now been set for February 1, 1987 (which represented a second delay).

#### CHAIRPERSON'S REPORT

Frank H. Ogawa

Chairperson Ogawa stated the Board had been invited to tour the NUMMI plant in Fremont, California on October 8, 1986; that the tour would begin at 10:00 A.M., lunch at noon, and would adjourn at 1:30 P.M.; and that Board members should notify the Clerk if they planned to attend.

#### BOARD MEMBERS' COMMENTS

Director Cooper stated he was calling a meeting of the Personnel Committee for 9:30 A.M., September 24, 1986 to receive a report from staff and the consultants regarding the classification and salary survey; discussing the methodology and progress to date.

- - -

Director Aramburu stated Mr. Feldstein and he would meet with other counties and air districts on the negotiating rulemaking process on September 18-19, in Los Angeles, California.

- - -

Director Aramburu stated he had attended the Chevron drilling platform which displayed what they had done in the last 50 years and where they are going; that Chevron was only meeting BACT on their rigs and platforms.

Director Hughan stated she had been on the Honda platform and they were not using BACT.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., September 17, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 10:45 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

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939 Ellis Street  
San Francisco, California 94109  
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OCT 7 1986

BOARD OF DIRECTORS REGULAR MEETING

UNIVERSITY OF CALIFORNIA

Wednesday  
September 17, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Frank H. Ogawa, Chairperson, Albert  
Aramburu, Harry G. Britt, Edward R.  
Campbell, Shirley J. Campbell, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos, Don  
Perata, Helen B. Rudee, Carol Ruth  
Silver, K. Jacqueline Speier,  
Susanne Wilson.

BOARD MEMBERS ABSENT:

Paul L. Cooper

ADVISORY COUNCIL MEMBERS  
PRESENT:

Kathryn Smick, M.D., Chairperson,  
Michael R. Barr, Jack C.  
Oppenheimer, Daniel V. Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F. Bell,  
Hulan F. Brinkley, Thomas Brennan,  
Joan Dracott, Peter Hess, Kenneth  
Kunaniec, Dario Levaggi, John F.  
Powell, Lewis H. Robinson, John A.  
Swanson, Carol Bradley.

- - -

Chairperson Ogawa called the meeting to order at 9:43 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Kathryn Smick, M.D., Chairperson, Michael  
R. Barr, and Daniel V. Phelan of the Advisory Council.

There was none.

APPROVAL OF MINUTES OF SEPTEMBER 3, 1986

COMMUNICATIONS

Ralph P. Doetsch, Secretary

The following communications were presented:

R.R. Bersani  
Captain, CEC, USN  
Public Works Officer  
Department of the Navy  
Mare Island Naval Shipyard  
Vallejo, California

indicating the appointment of Dr. William Cornils, head of the Department of the Navy's Environmental Energy Division, as the sole point of contact with the BAAQMD.

Marti Kheel  
Oakland

urging the Board increase regulation of toxic contaminants.

Dan Antanioli  
Berkeley, California

urging the Board increase regulation of toxic contaminants.

Gerald Rise  
Oakland, California

supporting District air pollution policy and inquiring as to what personal action may be taken to enhance air quality control.

REFUNDS

The APCO's report entitled, Refunds, dated September 11, 1986, was presented.

TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds, dated September 11, 1986, was presented.

APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out of State Travel, dated September 11, 1986, was presented.



SET PUBLIC HEARING FOR NOVEMBER 5, 1986  
TO CONSIDER AMENDMENTS TO REGULATION 3  
RELATING TO TRANSFER OF OWNERSHIP AND FEES NOT PAID

The APCO's report entitled, Setting of Public Hearing: Fees, dated September 11, 1986, was presented.

STAFF REPORT ON RESERVE ACCOUNTS (REFERRAL NO.5)

The APCO's report entitled, Status of Reserve Accounts, dated September 11, 1986, was presented.

SELECTION OF DISTRICT INSURANCE BROKER

The APCO's report entitled, Selection of District Insurance Broker, dated September 11, 1986, was presented.

Adopted Resolution No. 1695, In the Matter of Accepting a Bid for Insurance Coverage.

Director Doetsch moved the adoption of the above Consent Calendar items; seconded by Director Aramburu; carried on roll call.

AYES: Aramburu, Britt, S. Campbell, Doetsch, Hughan, Moskowitz, Nicolopoulos, Ogawa, Rudee, Silver, Speier

NOES: None

ABSENT: E. Campbell, Cooper, Davis, Diridon, McPeak, Perata, Wilson.

REPORT OF ADVISORY COUNCIL  
Kathryn Smick, M.D., Chairperson

Chairperson Smick stated the Advisory Council had its first meeting September 10, 1986; had decided on the priorities for the year, including toxics, the health effects of indoor air pollution, and the acceptance of the air quality element in the City/County general plans, and means of implementation; that the Technical Committee would be making recommendations on what compounds and substances should be monitored and whether new technology is needed; the Public Health Committee would be looking at the health effects of toxic compounds; the Air Quality Planning Committee and the Advisory Council would be following the air quality element implementation as well as working with the Board of Directors' Ad Hoc Committee on Public Education.

Directors E. Campbell, Perata and Wilson arrived at 9:45 A.M.

Chairperson Smick further stated the Ad Hoc Committee on Waste Utilization was chaired by a toxicologist, Dr. Alvin Greenberg, and was particularly interested in siting criteria and cumulative effects of toxics; the Ad Hoc Committee on Long Range Planning had met on September 16, and considered far ranging possibilities and would meet in two weeks to plan the Committee's agenda for the year; that the Advisory Council had held two Statewide Advisory Council meetings in the past with representatives of

other Advisory Councils and that Dr. John Daily of the Bay Area Air Quality Management District Advisory Council was planning a meeting in November to be held in San Francisco to discuss common problems.

Chairperson Ogawa noted the Advisory Council Board Liaison Committee had met with the Board Executive officers prior to the Board meeting and had concurred with the Advisory Council's plans.

PUBLIC HEARING TO CONSIDER AMENDMENTS  
TO REGULATION 8, RULE 34 REGARDING  
LANDFILL OPERATIONS

Chairperson Ogawa opened the public hearing at 9:47 A.M. and Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Director Diridon arrived at 9:51 A.M.

Mr. Brennan presented the APCO's report entitled Public Hearing to Consider Amendments to Regulations 8, Rule 34: Landfill Operations, dated September 10, 1986, stating the purpose of the rule was to reduce the emissions of organic compounds which were precursors of ozone (smog); that the rule required a person responsible for a solid waste disposal site, unless exempted, to process landfill gases through a gas selection system, approved by the Air Pollution Control Officer, and dispose of those gases; that the proposed amendments were intended to expand the applicability of the requirements of the rule, and the proposed exemptions were more restrictive than those adopted in May 1984.

Directors Davis and Moskowitz arrived at 9:55 A.M.

Joan Segal  
GSF Energy

stated the rule did not give performance standards to base how well one was doing.

Mr. Feldstein responded that each situation would be handled on a case-by-case basis.

Director Aramburu moved the public hearing be closed at 9:58 A.M. and that Resolution No. 1696, In the Matter of Amending Rule 34 of Regulation 8 Relating to Solid Waste Disposal Sites, be adopted; seconded by Director Silver; carried on roll call.

Ayes: Aramburu, Britt, E. Campbell, S. Campbell, Davis,

Diridon, Doetsch, Hughan, McPeak, Moskowitz,  
Nicolopoulos, Ogawa, Perata, Rudee, Silver, Speier,  
Wilson.

Noes: None

Absent: Cooper



## STAFF REPORT ON KAISER (REFERRAL NO. 4)

Mr. Feldstein presented his report entitled, Response to Referral No. 4; Kaiser Cement, dated September 5, 1986, stating staff had responded to questions raised by Director Diridon, namely: what is the potential for stack gas monitoring which would determine chrome VI; was the worst case excess cancer burden which was estimated to be 1.6 cases based on a population exposure estimate over 70 years within a seven-mile area?; how would the results of the risk assessments differ with real meteorological data rather than Moffett Field data?, is there the need for more risk assessment in the seven-mile area around the facility; what would be the cost of this risk assessment if needed?; are air pollution control measures in place at the Kaiser plant?, and what is the reliability of the Kaiser baghouse system.

After discussion, Director Diridon thanked the staff for a thorough response, stating there was still a dilemma in that the IEMP study had indicated there was some level of chromium in ambient air and that it had been determined it could come from Kaiser, and that if it was not coming from Kaiser, where was it coming from; that question should be answered in Phase II of the IEMP and he would appreciate the District staff helping the consultants by keeping track of sources of chrome VI and report this information to him. Director Diridon further stated that the dust fall-out problem may be related to air borne cement, and that the District could control that; and that he would request staff look for mechanisms to help control that dust.

Mr. Feldstein stated staff would work closely with Kaiser and make recommendations to minimize and reduce dust fall.

Director Diridon stated that Dr. Morrell would review the report and would like to have a discussion with the staff after he makes his comments.

Director Aramburu moved acceptance of the staff report; seconded by Director McPeak; carried.

### AIR POLLUTION TOPIC - SOURCE TESTING

Mr. Kunaniec presented a chart of the Source Test Section, outlining the duties and responsibilities of each individual in this section; offering a recap of the fiscal year 1986 source testing, stating that a total of 311 were conducted, that 163 were unannounced; and that 65 resulted in violation notices.

Director Silver questioned the cooperativeness of the facilities involved in the tests to which Mr. Kunaniec stated that in eleven years only one had objected to the source test being conducted on an unannounced basis. Mr. Feldstein stated the District had the authority to seek a court order if the facilities did not cooperate.

There was discussion on the equipment used to conduct these source tests on location, what happens to the bags used to



collect dust, where they were disposed of, and whether or not they were toxic.

Director Speier stated she had been contacted regarding a problem with quarries in her district, that it appeared they were in violation, and the public did not know who to contact to make a report. Mr. Feldstein outlined the new newspaper advertisement program and telephone listings to address this problem.

#### REPORT OF APCO

Mr. Feldstein called attention to an article regarding the EPA praising the District for having the most stringent air pollution control regulations in the State of California, and possibly in the nation, stating the District agreed with the evaluation; and that staff would make a copy of the article available to the Board members.

- - -

Mr. Feldstein stated there were two ongoing activities, i.e., the Offshore Energy Assistance Program in an effort to get funding to set up coastal air monitoring and modeling facilities; and that representatives from the four counties involved would be meeting immediately after the Board meeting to discuss the funding; and that the negotiated rule making process was going on and that on September 18 - 19, Director Aramburu would be in Los Angeles making the Districts demands known.

- - -

Mr. Feldstein stated the Golden West Section of the Air Pollution Control Association would be meeting on September 18, 1986 in Oakland, and Dr. Michael Lipsett would be discussing risk assessment. Director McPeak requested staff summarize the activities at that meeting and make it available to the Board.

- - -

Mr. Feldstein stated on October 30 - 31, 1986 the Golden West Section of APCA would be holding a meeting regarding garbage burning at the Cathedral Hill Hotel in San Francisco that a panel consisting of Directors McPeak, Diridon and Silver, as well as Assemblyman Byron Sher and Sabrina Schiller would be guest speakers.

#### CHAIRPERSON'S REPORT

Chairperson Ogawa reminded the Board the Personnel Committee would be meeting on Wednesday, September 24, 1986 at 9:30 A.M.

Chairperson Ogawa also reminded the Board that he would need to know how many individuals would be attending the NUMMI tour on October 8, 1986, and that this information should be delivered to the Clerk.

#### BOARD MEMBERS' COMMENTS

Director Speier stated she would like to have a report at the next meeting on Proposition 65 for the Board to consider.

- - -

Director Silver stated she would like to know where the District was on the preparation, if any, of a wood burning stove set of regulations for the District. Mr. Levaggi stated to date the District had not received all of the analyses they needed from the University of Arizona; that the sampling had been done in Santa Clara County, and that the District hoped to have the analyses in November 1986.

Director Silver questioned if there were ambient air standards on asbestos, and whether it was on the Tanner list. Mr. Hess responded that the ARB and federal government were working on the disposal of asbestos and asbestos manufacturing facilities; that the EPA has a rule in place and the District had adopted those rules; and that ARB and the District would review additional rules or additional sources.

Director Silver called attention to a written communication from a gentleman in Oakland, California supporting the District's air pollution control policy, and asking what personal action could be taken to enhance air quality control. Director Silver stated that this question was essentially one that had come before the Advisory Council's Long Range Planning Committee at their meeting September 16; that the Ad Hoc Committee on Public Education would be focusing specifically on questions of this sort, and that she would like staff to prepare a list of all the personal air pollution control strategies that are available to any individual, and that this information be incorporated into a letter of response to the gentleman with copies circulated to the Board of Directors.

- - -

Director McPeak stated the agricultural burning season had begun, that the Agricultural Advisory Committee in Contra Costa County had requested that the Bay Area Air Quality Management District review the burning procedures in San Joaquin Valley and make comments on these procedures.

Director McPeak stated that 18 months ago the Contra Costa County Board of Supervisors formed a Transportation Systems Management (TSM) partnership with two local, two regional, two public and two private agencies, and that this partnership would try to develop a program on TSM; that they had began with a model ordinance that would require commute alternatives for employment centers; and that after 18 months a draft was prepared for



release for comment and that the draft had the input of the Bay Area Council and that the thrust was to reduce single occupancy vehicles (SOV) on the road; and that she would request that the Ad Hoc Committee on Public Education and the Advisory Council review the drafts and provide input.

Director Diridon stated that the Golden Triangle Task Force was working on this problem in the northern part of Santa Clara County, and recommended that they also be contacted for input.

Director Diridon also offered sincere thanks for Theresa Lee's presentation before the Santa Clara County Board of Supervisors on open burning.

#### OTHER

There was none.

#### TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, October 1, 1986, 939 Ellis Street, San Francisco, California.

#### CLOSED SESSION PURSUANT TO SECTION 54956.9 OF THE GOVERNMENT CODE REGARDING PENDING LITIGATION

The Board adjourned to closed session at 10:53 A.M. and reconvened at 11:01 A.M.

The meeting was adjourned at 11:02 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

Jack Leister  
Institute of Governmental Studies  
109 Moses Hall, Univ of Calif Lib  
Berkeley, CA 94720

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Oct. 1, 1986

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109

BOARD OF DIRECTORS REGULAR MEETING

Wednesday,  
October 1, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

INSTITUTE OF GOVERNMENTAL  
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Frank H. Ogawa, Chairperson;  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Roberta H.  
Hughan, Sunne Wright McPeak, Gus  
J. Nicolopoulos, Helen B. Rudee,  
Carol Ruth Silver, K. Jacqueline  
Speier, Susanne Wilson.

BOARD MEMBERS ABSENT:

Ralph P. Doetsch, Sr., Harold I.  
Moskowite, Don Perata.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Stana D. Hearne, Jack C.  
Oppenheimer, Daniel V. Phelan

STAFF MEMBERS PRESENT:

Milton Feldstein, Jack Bean,  
Thomas F. Bell, Joan Dracott,  
Peter Hess, Gary Kendall, Dario  
Levaggi, John F. Powell, Lewis H.  
Robinson, John A. Swanson, Carol  
Bradley

---

Chairperson Ogawa called the meeting to order at 9:56 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Stana D. Hearne and Daniel V. Phelan of  
the Advisory Council.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES SEPTEMBER 17, 1986



## DIVISION MONTHLY REPORTS

The following reports, covering those periods listed, were presented:

<u>Division</u>	<u>Report Period</u>
District Counsel	August 26-September 25, 1986
Enforcement	August 16-September 15, 1986
Permit Services	August 16-September 15, 1986
Planning	August 20-September 16, 1986
Public Information	August 25-September 23, 1986
Technical Services	August 16-September 15, 1986
Administrative Services	June 30, July 31, August 31, 1986

### COMMUNICATIONS

Ralph P. Doetsch, Secretary

There were none.

### REFUNDS

The APCO's report entitled, Refund, dated September 23, 1986, was presented.

### REFERRALS

The APCO's report entitled, Board Referrals, dated September 24, 1986, was presented.

### APPROVAL OF CONTRACT IN EXCESS OF \$15,000

The APCO's report entitled, Approval of Contracts in Excess of \$15,000, dated September 23, 1986, was presented.

Adopted Resolution No. 1697, In the Matter of Authorizing the Chairperson to Execute Lease Renewal Agreements for Two Copy Machines.

### SET PUBLIC HEARING FOR NOVEMBER 19, 1986 TO CONSIDER ADOPTION OF REGULATION 8, RULE 41, REGARDING VEGETABLE OIL MANUFACTURING

The APCO's report entitled, Setting of Public Hearing: Vegetable Oil Manufacturing, dated September 23, 1986, was presented.

Director Campbell moved the adoption of the above Consent Calendar items; seconded by Director Rudee; carried on roll call:

Ayes: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Hughan, McPeak, Nicolopoulos, Ogawa, Rudee, Silver, Speier and Wilson.

Noes: None.

Absent: Doetsch, Moskowitz, Perata.

REPORT OF PERSONNEL COMMITTEE  
Paul L. Cooper, Chairperson

Chairperson Cooper stated six Committee members and four alternates met September 24, 1986, and received a status report from the Harvey Rose Accountancy Corporation regarding the District Classification/Salary Survey Pay Equity Study; that there were a number of considerations of the expertise of the contractor's staff and the factor analysis to be used in the project; and after discussion, the Committee accepted the schedule with the proviso that it would review the weighting information before it was applied, and that a meeting would be scheduled sometime in November, 1986.

Chairperson Cooper stated the Committee also met to discuss the course of action it would take in consideration of the upcoming expiration dates of two Hearing Board members, one of whom was affected by the newly adopted 12-year term limitation; that after considerable discussion regarding geographic location of Hearing Board members and the implementation of the 12-year term limitation policy, the Committee had voted to invite the two incumbents to an interview at the 8:30 A.M., Wednesday, October 29, 1986 Committee meeting; that staff had been directed to compile attendance records of those members and assemble the resumes of the current membership for evaluation; and following that meeting the Committee would determine if the two members should be recommended for reappointment.

Director Speier moved acceptance of the report; seconded by Director Aramburu; carried.

REPORT OF AD HOC BUILDING COMMITTEE  
Albert Aramburu, Chairperson

Chairperson Aramburu stated the Committee had met prior to the Board meeting to consider three bids received for award of the contract for the proposed four-story building addition to the District Offices at 939 Ellis Street, San Francisco; that two bids were incomplete, having omitted four required documents; that the bid of Barnes Construction Company of San Francisco had fulfilled all requirements of the Invitation to Bid, and the Committee was recommending staff transmit a letter to each contractor notifying them of the selection of Barnes Construction Company. Chairperson Aramburu stated the Committee determined the omission by the two contractors of (1) Contractors Qualifications and Experience Affidavit - 00420, (2) Non-Collusion Affidavit of Prime Bidder - 00450, (3) Preliminary Contract Schedule, and, (4) Labor Rates by Trade including Fringe Benefits, was sufficient; that Barnes' bid of \$2,018,000 was satisfactory, and Barnes was also a MBE (Minority Business



Enterprise).

Chairperson Aramburu moved the recommendation be accepted; seconded by Director Rudee; carried.

REPORT OF AD HOC COMMITTEE ON RESOURCE RECOVERY FACILITIES  
Rod Diridon, Chairperson

Vice-Chairperson Britt stated the Committee had met September 29, 1986, to receive a proposal on the scope of work required to develop a guideline document on resource recovery facilities; that staff had proposed the document be prepared by an outside contractor at a cost estimated to be approximately \$200,000; and was advised how much information would be available in-house. Vice-Chairperson Britt stated the Committee requested staff to do further work to explore outside funding, and had scheduled a meeting for 10:00 A.M., November 3, 1986.

AIR POLLUTION TOPIC - MOTOR VEHICLE EMISSION CONTROL

Using overhead slides, Mr. Kendall gave a presentation on Motor Vehicle Emission Control, outlining major sources from both gasoline and diesel engines, displaying diagrams of crank case emission controls, evaporative loss emission control, internal and external exhaust emission control, and diesel exhaust emission control. Mr. Kendall updated the Board on the future emission control for gasoline and diesel engines.

There was discussion regarding the possible development of trap oxidizers which could be retrofited to urban buses; the switch to diesel fuel by medium and heavy vehicles for efficiency; the vapor recovery program and the sensibility of utilizing cannisters to recover fuel tank losses.

REPORT OF APCO

Report on Proposition 65-Toxic Initiative

Mr. Feldstein reviewed Mr. Powell's report entitled, Proposition 65-Toxics, dated September 25, 1986, stating the initiative set forth probations and penalties relative to the knowing discharge into water of, or the knowing and intentional exposure of any individual to, a chemical known to cause cancer or reproductive toxicity; that the initiative included flaws in its language which might be sufficiently serious as to undermine its worthwhile objective; that certain exemptions were set forth which appear both reasonable and clear, while others were unclear and poorly defined; and that staff was not recommending the Board take a position on Proposition 65.

Director Wilson left at 10:30 A.M.

There was considerable discussion regarding the initiative's vague language, the enforcement provision, the city/county



exemption, the extent to which toxics in the bay became air borne, and the need to debate the initiative as it related to the District's newly adopted air toxics program.

Director Diridon left at 10:34 A.M.

After discussion regarding the District's need to concentrate on air issues, Director Aramburu moved that the Board take no action on Proposition 65; seconded by Director Cooper; and upon roll call the motion FAILED:

Ayes: Aramburu, E. Campbell, Cooper, Hughan,  
Nicolopoulos, Ogawa.

Noes: Britt, S. Campbell, Davis, McPeak, Rudee, Silver,  
Speier.

Absent: Diridon, Doetsch, Moskowitz, Perata, Wilson.

Director Silver moved the Board endorse Proposition 65; seconded by Director Speier; and upon roll call the motion carried:

Ayes: Britt, S. Campbell, Davis, McPeak, Rudee, Silver,  
Speier.

Noes: Aramburu, E. Campbell, Cooper, Hughan,  
Nicolopoulos, Ogawa

Absent: Diridon, Doetsch, Moskowitz, Perata, Wilson.

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Mr. Feldstein encouraged the Board members to attend the October 30-31, 1986, Conference on Garbage Burning to be held at the Cathedral Hill Hotel in San Francisco.

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Mr. Feldstein stated letters had been sent to each member of the four coastal communities Board of Supervisors outlining what their Planning Departments were proposing to do with their share of the Offshore Energy Assistance Fund monies; that there would be public hearings before the Board of Supervisors occurring in October and early November; that copies of each letter had been sent to Board of Director members in those affected counties; and requested the item be placed on the Board of Directors' agenda for the next meeting. Chairperson Ogawa so ordered.

Director Aramburu stated that on October 28, 1986, a public hearing on Marin's share of \$485,000 would be held, that \$100,000 was proposed for the Air Quality Management District; and that he felt that the amount was too low; and further that he would urge all to strongly support the staff recommendation so that \$950,000 could be appropriated for the monitoring and modeling proposal.

Director Aramburu stated he, Mr. Feldstein and Ed Miller were on the Negotiated Rulemaking Team, and that federal, state and environmental groups would be assisting them; and that he would urge that those counties who had SB 959 money earmarked for community participation, look at some of the environmental groups' participation.

#### CHAIRPERSON'S REPORT

Chairperson Ogawa stated there was a conflict with the proposed November 19, luncheon celebration for Director Speier; and that he would propose the luncheon be changed to November 5, 1986, immediately following the Board Meeting.

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Chairperson Ogawa reminded the Directors of the NUMMI Tour stating attendees should be prompt; that it would be considered a Special Meeting of the Board because there would be a quorum present and that it should be noticed.

Director Rudee suggested the Board consider making video tapes of tours that Board members take to accommodate those Board members who would like to participate, but for reasons of conflicting schedules, could not.

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Chairperson Ogawa asked for an update of the cities and counties who have adopted the air quality element. Director Silver questioned if the table she had requested regarding the air quality element had been prepared as yet. Mr. Feldstein stated staff was preparing the document for presentation at a future Board meeting.

#### BOARD MEMBERS' COMMENTS

Director McPeak stated Contra Costa and Solano Counties were trying to solve an issue regarding the IT facilities; working with them to phase out old ponds and modernize their plants; that the company was requesting building permits but had not supplied all the necessary information. Director McPeak stated she was requesting that the Board of Directors consider establishing a working task force that she and Director Cooper could chair involving the District and the other agencies that must permit IT to get information from IT in a timely manner; and that Contra Costa County was not taking the attitude of shipping hazardous waste somewhere else; and would like some directions from the BAAQMD.

Director Speier left at 11:11 A.M.

Chairperson Ogawa questioned whether Director McPeak was

requesting an on-site meeting; to which Director Davis stated he thought an on-site visit would be a good idea and that IT should not mind; that he thought there were certain people in Solano County who would just as soon close the plant in Benicia and send the hazardous waste to Martinez; and that he had some very real concerns about the issue.

Director McPeak stated the working task force should be comprised of all agencies and jurisdictions affected by the IT facilities so that communications could be strengthened; Director Cooper suggested the task force needed to address the necessary permits that would be needed. Mr. Feldstein stated staff would like to work with Directors Cooper and McPeak to determine which agencies should be invited.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, October 15, 1986, 939 Ellis Street, San Francisco, California.

The meeting was adjourned at 11:19 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





41287  
Oct. 8, 1986  
BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109

INSTITUTE OF ENVIRONMENTAL  
STUDIES

OCT 20 1986

BOARD OF DIRECTORS SPECIAL MEETING

UNIVERSITY OF CALIFORNIA

Wednesday  
October 8, 1986  
10:00 A.M.

NUMMI Plant  
Fremont,  
California

M I N U T E S

BOARD MEMBERS PRESENT: Frank H. Ogawa, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos,  
Carol Ruth Silver

BOARD MEMBERS ABSENT: Osby Davis, Rod Diridon, Don  
Perata, Helen B. Rudee, K. Jacqueline  
Speier, Susanne Wilson

ADVISORY COUNCIL None.  
MEMBERS PRESENT:

STAFF MEMBERS PRESENT: Milton Feldstein, Peter Hess,  
Edward W. McHugh, John F. Powell,  
Carol Bradley

- - -

Chairperson Ogawa called the meeting to order at 10:07 A.M.

TOUR OF NUMMI AUTO ASSEMBLY PLANT IN FREMONT

Mr. K. Higashi, President, welcomed the Board members to the NUMMI plant, introducing Dr. Anthony Fisher of the Environmental Summary Section, who provided information regarding the air quality standards utilized at the plant.

Director McPeak arrived at 10:16 A.M.

Mr. G. Convis provided an explanation of the tour route, offering safety helmets and goggles to the tour participants.





Director Aramburu arrived at 10:27 A.M.

The tour was conducted throughout the entire plant on the first and second floors.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, October 15, 1986, 939 Ellis Street, San Francisco, California.

The meeting was adjourned at 12:15 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards







BAY AREA  
AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

Jack Leister  
Institute of Governmental Studies  
109 Moses Hall, Univ of Calif Lib  
Berkeley, CA 94720

FIRST CLASS MAIL

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Oct. 15, 1986

NOV 11 1986

UNIVERSITY OF CALIFORNIA

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
October 15, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Frank H. Ogawa, Chairperson;  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Rod  
Diridon, Ralph P. Doetsch, Sr.,  
Robert H. Hughan, Sunne Wright  
McPeak, Harold I. Moskowite, Gus  
J. Nicolopoulos, Helen B. Rudee,  
Carol Ruth Silver, K. Jacqueline  
Speier.

BOARD MEMBERS ABSENT:

Osby Davis, Don Perata, Susanne  
Wilson.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Jack C. Oppenheimer, Daniel V.  
Phelan.

HEARING BOARD MEMBERS  
PRESENT:

Rodney R. Beard, M.D.

STAFF MEMBERS PRESENT:

Milton Feldstein, Jack Bean,  
Thomas F. Bell, Peter Hess,  
Dario Levaggi, Edward W. McHugh,  
Thomas E. Perardi, John F.  
Powell, John A. Swanson, Kildae  
Gooseff.

- - -

Chairperson Ogawa called the meeting to order at 9:34 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Gooseff introduced Daniel V. Phelan of the Advisory Council.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF OCTOBER 1 AND OCTOBER 8, 1986

COMMUNICATIONS

Ralph P. Doetsch, Secretary

The following communications were presented:

Valentin Alexeef  
City Administrator  
City of Clayton

presenting Notice of Preparation of a Draft Environmental Impact Report on the Clayton Redevelopment Project Plan.

Susanne Wilson  
Board of Supervisors  
County of Santa Clara

submitting documentation showing compliance of the Santa Clara County General Plan with Bay Area Air Quality Management District Guidelines.

Thomas P. Patten  
Martinez, California

urging the Board increase regulation of industrial emissions from the Rodeo and Martinez areas.

Gina Gross  
Milpitas Mayor elect

requesting BAAQMD assist the City of Milpitas in air quality control, particularly at its Nuby Island/Alviso Dump site.

L. L. Durr  
DCI Corporation  
Indianapolis, Indiana

offering placement of equipment for the purpose of VOC emission control.

Carol Williams  
Chief of Policy and Program Planning  
Marin County Planning Department



presenting Notice of Public Hearing regarding Marin City  
Redevelopment Plan.

#### REFUNDS

The APCO's report entitled, Refunds, dated October 8, 1986, was  
presented.

#### SET PUBLIC HEARINGS

The APCO's report entitled, Setting of Public Hearings - Conflict  
of Interest Statement, dated October 8, 1986, was presented with  
regard to hearings on December 3, 1986, as follows:

Consider Amendments to Regulation 8, Rule 7, Regarding  
Gasoline Dispensing Facilities and Gasoline Delivery  
Vehicles

Consider Amendments to Regulation 8, Rule 33, Regarding Bulk  
Gasoline Distribution Facilities and Gasoline Delivery  
Vehicles

Consider Amendments to Regulation 2, Rule 1, Regarding  
Exemption for Gasoline Dispensing Facilities

Consider Adoption of Regulation 8, Rule 39, Regarding  
Gasoline Bulk Plants and Gasoline Delivery Vehicles

#### TRANSFER OF FUNDS

The APCO's report entitled, Transfer of Funds, dated October 8,  
1986, was presented.

Adopted Resolution No. 1698, In the Matter of Approving a  
Transfer of Funds.

Director Aramburu moved adoption of the above Consent Calendar  
items; seconded by Director Rudee; carried on roll call.

AYES: ARAMBURU, BRITT, E. CAMPBELL, S. CAMPBELL, COOPER,  
DIRIDON, DOETSCH, MOSKOWITE, NICOLOPULOS, OGAWA, RUDEE

NOES: NONE

ABSENT: DAVIS, HUGHAN, McPEAK, PERATA, SILVER, SPEIER,  
WILSON

#### REPORT OF AD HOC BUILDING COMMITTEE Albert Aramburu, Chairperson

Chairperson Aramburu stated the Committee had met prior to the  
Board meeting to consider staff's report regarding selection of a  
contractor for the building addition, advising that the Committee

had accepted staff's recommendation containing 3 elements: 1) the construction contract be awarded to Barnes Construction Co., in the amount of their base bid price of \$2,018,000; 2) the Board Chairperson be authorized to sign the appropriate construction contract; and 3) the Board authorize the transfer of \$2,600,000 from Reserve for Building to Building Appropriation.

Director McPeak arrived at 9:40 A.M.

After Mr. Powell advised that the resolution relating to this matter would have to be amended to include these 3 items, Mr. Aramburu moved adoption of Resolution No. 1699, In the Matter of a Construction Contract for the Addition to the District Building, as amended; seconded by Ms. Rudee; carried on roll call.

AYES: ARAMBURU, BRITT, E. CAMPBELL, S. CAMPBELL, COOPER, DIRIDON, DOETSCH, McPEAK, MOSKOWITE, NICOLOPULOS, OGAWA, RUDEE

NOES: NONE

ABSENT: DAVIS, HUGHAN, PERATA, SILVER, SPEIER, WILSON

- - -

Chairperson Ogawa deferred the Quarterly Report of ARB Representative until Director Hughan's arrival.

- - -

QUARTERLY REPORT OF HEARING BOARD  
Rodney R. Beard, M.D., Vice-Chair

Dr. Beard reviewed the report entitled, Hearing Board Quarterly Report - July-September, 1986, dated October 8, 1986, and outlined the categories of cases before the Hearing Board during the last quarter, stating the principal reason for variance requests related to VOC emissions from printers, persons dealing with VOC-saturated earth and applicators of specific finishes, particularly with respect to coatings specified by the military.

Dr. Beard advised that the Accusation heard against Dexter Corporation Midland Division during the second quarter had resulted in the issuance by the Hearing Board of an Unconditional Order for Abatement on August 8, 1986; that although it was aware of continuing problems at this facility, those problems had not been formally brought to the attention of the Hearing Board.

Dr. Beard reviewed the Appeal of Kaiser Cement Corporation, stating the matter had consumed over 10 days of hearings, because usable information in this area is sparse and difficult to interpret; that the Hearing Board was now debating its conclusion.

Dr. Beard commented that the Hearing Board had given attention to procedures with the new Clerk and her staff; that the Hearing Board work had not diminished, but rather, as the Board of Directors pursues its goals and staff continues to enforce those goals, more Accusations, Appeals from decisions of the APCO, and variances would be forthcoming.

Director Hughan arrived at 9:45 A.M.

QUARTERLY REPORT OF ARB REPRESENTATIVE  
Roberta H. Hughan

Director Hughan requested her report be deferred to the November 5, 1986 meeting, and Chairperson Ogawa so ordered.

STATUS REPORT ON AIR QUALITY ELEMENT IN  
GENERAL PLANS OF CITIES AND COUNTIES  
Milton Feldstein

Mr. Feldstein reviewed the report entitled, Progress Report: Status of Air Quality Elements in Local General Plans of Cities and Counties, dated October 7, 1986, with respect to the intentions of counties and cities to include air quality elements in their local General Plans, stating this was a long process; that responses received from the cities/counties had been very gratifying and cooperative.

Director Speier arrived at 9:49 A.M.

Mr. Feldstein stated the District has a long way to go with its proposals; that it will continue to press to have these issues brought up at various levels, but that the District needed assistance from Board members to urge their cities and Council of Mayors to include an air quality element in their General Plans.

In discussion, Director McPeak advised that Contra Costa County had already adopted an air quality element in its General Plan, and requested the report be amended to so reflect. Director Speier commented that San Mateo County had taken an official action of instructing its Planning Department to come back with an air quality element for adoption next year.

Director Silver arrived at 9:53 A.M.

Director Diridon advised of Santa Clara County's conclusion that its current General Plan is as the regional air quality element would like it to be; that, after the IEMP Study is concluded, Santa Clara County will have to revise its plan accordingly to reflect whatever changes are indicated by that study.



STATUS REPORT AND DISCUSSION OF  
OFFSHORE ENERGY ASSISTANCE FUND  
Milton Feldstein

Mr. Feldstein reviewed his report entitled, Coastal County Offshore Energy Assistance Program, dated October 9, 1986, urging support of the Board members for the District's proposal for establishing 3 air monitoring sites along the coast to measure pollutants that would provide baseline data for the kinds of emissions expected from future outer continental shelf (OCS) activities. He stated proposed monitoring would provide meteorological input for air quality modelling for development of a quantitative estimate of the air quality impacts of OCS development on the region. With use of overhead slides of Attachment B of his report, he reviewed the air monitoring costs, stating that in addition to the 3 proposed stations, the District planned special studies dealing with speciation of hydrocarbons that exist and with other areas; that the total cost of the program would be \$959,000.

Mr. Feldstein reviewed Attachment A of his report, stating the District cannot apply for these funds, but that if the counties agree to an air quality element in terms of monitoring, they can apply for the money and hopefully receive approval from the Secretary of Resources. He reviewed the District's proposal that each county provide 39% of its allocated funding as outlined in Attachment A, stating the balance over 39% would be available to the counties for studies of other areas of offshore drilling. Mr. Feldstein pointed out the necessity and importance of the District's data base with respect to this project, and outlined the process for changing or modifying the allocation of funds for final submission to the Secretary of Resources.

Director Britt pointed out that Attachment A should be amended to indicate San Francisco's contribution of \$135,000; Director Diridon requested the Attachment be amended to include the \$41,000 set aside by Santa Clara County for air quality.

Warner Chabot  
Principle Planner  
Marin County Planning Department

presented a brief overview of the efforts of county planners from Central Coast and Bay Area counties to develop a coordinated program for use of the 2-year OCS block grant program as provided by SB-959, outlining the timetable for the block grant program and summarizing efforts to date by the planners to put together a comprehensive program for the Central Coast counties.

Mr. Chabot reviewed his chart entitled, OCS Timeline, outlining the incremental steps of the program from the draft proposal in September, 1986, through February, 1987, when 90% of the funding will be provided up front with 10% held pending submission of the final report in May, 1989. Reviewing his chart entitled,

California Lease Sale Areas & Dates, Mr. Chabot reviewed congressional action resulting in a lease sale schedule involving a 2-year process beginning in February, 1989; that in February, 1987, the Secretary of Interior will submit a draft 5-year plan delineating where the proposed lease sales in Northern, Central and Southern California will be. He pointed out the parallel activities of the air quality negotiation/mediation process and its anticipated involvement for at least 1 year or more, and the EPA's work beginning in the fall, 1986, and carrying over to 1987, to establish standards for ocean dumping, stating EPA will be developing regulations for Southern California general permits that will set the standards for all pollutants that will be dumped into the ocean as a result of OCS activities and will be precedent-setting for Northern California.

Mr. Chabot reviewed the efforts of planners in the Central Coast area to pool their resources to identify common issues and efforts, after which he reviewed his chart entitled, SB-959 Program Grants to Coastal Counties for:, with respect to air quality, oil spills contingency planning, transportation alternatives, technical review, socio-economic and environmental studies, regulatory studies and data management, water quality, and public participation, to which Director Silver stated the overall plan was exceedingly ambitious, but did not appear that 39% is related to an air quality program. Mr. Chabot stated that staff had made recommendations and the decision must be made by the supervisors; that there was substantial work to be done and air quality is at the top of the issues to be considered; that there is a wide range of issues and time period in which planners are to respond that must be considered, and that it is recognized that the funds provided must be stretched as much as possible and matching funds sought; that the planners have identified a range of issues and then individually ascertained within their own counties what they would be willing to contribute for developing a work program.

Director Speier reviewed her attendance at a joint meeting with all counties in the Bay region at which Mr. Chabot had made his proposals, stating there had been a much broader based review and an attempt set forth to use the money as effectively as possible to have the data necessary to provide a basis for preventing offshore drilling; that the information from this District alone will not achieve prevention of offshore drilling, and that she had been persuaded by the broader perspective to address a number of issues, rather than air quality exclusively. In response to Director Speier, Mr. Feldstein stated the District was proposing a minimum 1-year monitoring program to provide the data base; that a 2-year program would be preferable; that the data base developed by the District may indicate the air quality impact of offshore drilling when air quality is considered.

In discussion of the air monitoring program, Mr. Chabot concurred that a 1-year program would be helpful; that solid information was necessary by early 1988 so that it can be put into the DEIS



and FEIS process. Mr. Feldstein added that if funds were allotted in February, 1987, monitors could be installed by August, 1987 and development of data could be accomplished for input by early 1988.

Director Britt outlined his perspective of the planners' process as a good one, stating he believed the District should not go up to the full \$959,000; that groundbreaking work was going on in many areas and, if the goal of the District was to stop offshore drilling, there should be support of inter-county cooperation with the process; that he did not want to see that fail by taking monies away.

In further discussion, Director Britt questioned what the effect would be of reducing for at least the first year the number of monitoring stations to 2, to which Mr. Feldstein responded that he would review this matter with the meteorology department and report back to the Board.

Ms. Rudee spoke on the issue of viewing the funds available as a "pot of money", stating many counties saw it as a way of addressing problems they knew would come with offshore drilling based on the South Coast's problems; that counties saw endless areas where that money could go to ward of the eventual date of offshore drilling; that if the "pot" is too small, counties may not see the value of an air study as opposed to studies affecting more closely the concerns of their community. In response to Director Rudee's concerns, Mr. Feldstein outlined the SCCAMP program just completed, stating it was designed to measure air quality and meteorology similar to what the District is proposing at a cost of \$3,500,000; that the data was just coming in from the 1-1/2 year program. Director Hughan referred to the work of the ARB Oversight Committee as it related to the SCCAMP program, stating Ventura and Santa Barbara counties have been involved in a study funded by various agencies and Districts to determine where responsibility for air pollution lay; that unless they had the results of these studies and show pollution is not generated locally, they will have to put into effect more stationary source controls to offset pollution generated offshore; that it is important to know what is going to happen in the case of the Bay Area and that it would be helpful to know ahead of time, rather than putting controls on stationary sources after the fact.

Director Aramburu reviewed the need for base line data and his activities as a member of the negotiating committee, stating other Board members should attend and pointing out the importance of the role to be played by the environmental coalition in the success of this program. He stated he had been addressing many of the issues and that he was going to be asking for more than the \$100,000 from the Board of Supervisors in Marin county on October 28, 1986; that all members should take another look at their budgets in an attempt to get these stations on line.



Mr. Feldstein provided the Board with a pamphlet entitled, Public Affairs Report.

In conclusion, Director Speier spoke in favor of the funding of 2 stations with the District taking up the cost of operating the stations for the first year at approximately \$130,000.

#### AIR POLLUTION TOPIC - SULFUR DIOXIDE

Mr. John Swanson, Director of Permit Services, provided the Board with a sample of solid sulfur, and with use of overhead slides, reviewed the chemical properties of SO<sub>2</sub>, sources of SO<sub>2</sub>, and health effects, stating SO<sub>2</sub> is not a carcinogen. In reviewing the overhead slide entitled, SO<sub>2</sub> Emissions Trend, Mr. Swanson advised that the peaks and valleys of the emissions relate to energy demands and to regulations adopted by the District to control SO<sub>2</sub>. In reviewing the current regulations directed at SO<sub>2</sub> emissions, Mr. Swanson stated there had been no excess of state or federal standards in the last 10 years due to regulations; that, however, SO<sub>2</sub> was a precursor of acid rain; that the state was nearing the end of a 2-year plan to study acid rain in our District and that some additional controls may be set forth by the ARB as a result of that study.

#### REPORT OF AIR POLLUTION CONTROL OFFICER

Mr. Feldstein reiterated his previous invitation to Board members to attend the conference on Garbage Burning on October 30-31, 1986, at the Cathedral Hill Hotel in San Francisco.

#### CHAIRPERSON'S REPORT

Chairperson Ogawa reminded the Board of the November 5, 1986, luncheon for Director Speier immediately following the Board meeting.

- - -

Chairperson Ogawa advised that the Oakland City Council had opposed Prop 61 unanimously, and had also voted against Prop 65.

- - -

Chairperson Ogawa requested that staff send a letter to Mr. K. Higashi, President, New United Motor Manufacturing, Inc., expressing appreciation for the tour and luncheon provided to Board members and District staff.

#### BOARD MEMBERS' COMMENTS

Director Campbell pointed out that the CSAQ meeting would be held on the same day as the Board of Directors meeting on November 19, 1986.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, November 5, 1986, 939 Ellis Street, San Francisco, California.

The meeting was adjourned at 11:04 A.M.

Respectfully submitted,

Kildae Gooseff  
Deputy Clerk





BAY AREA

QUALITY MANAGEMENT DISTRICT

939 ELLIS STREET

SAN FRANCISCO, CA 94109

Jack Leister  
Institute of Governmental Studies  
109 Moses Hall, Univ of Calif Lib  
Berkeley, CA 94720

FIRST CLASS MAIL

A/581  
Nov. 5, 1986

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

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STUDIES LIBRARY

DEC 5 1986

UNIVERSITY OF CALIFORNIA

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
November 5, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT: Frank H. Ogawa, Chairperson;  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Paul L.  
Cooper, Osby Davis, Rod Diridon,  
Ralph P. Doetsch, Sr., Roberta H.  
Hughan, Sunne Wright McPeak,  
Harold I. Moskowitz, Gus J.  
Nicolopoulos, Helen B. Rudee,  
Carol Ruth Silver, K. Jacqueline  
Speier, Susanne Wilson.

BOARD MEMBERS ABSENT: Shirley J. Campbell, Don Perata.

ADVISORY COUNCIL MEMBERS  
PRESENT: Jack C. Oppenheimer, Daniel V.  
Phelan.

STAFF MEMBERS PRESENT: Milton Feldstein, Thomas F. Bell,  
Hulan F. Brinkley, Peter Hess,  
Steve Hill, Dario Levaggi, Edward  
W. McHugh, John F. Powell, Lewis  
H. Robinson, Tom Story, John A.  
Swanson, Carol Bradley.

- - -

Chairperson Ogawa called the meeting to order at 9:34 A.M.

## INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Daniel V. Phelan of the Advisory Council.

## PUBLIC PRESENTATION

There was none.

Directors Britt and Davis arrived at 9:35 A.M.

## APPROVAL OF MINUTES OF OCTOBER 15, 1986

## DIVISION MONTHLY REPORTS

The following reports for the periods covered were presented:

<u>Division</u>	<u>Report Period</u>
Administrative Services	September 30, 1986
Enforcement	September 16-October 15, 1986
Legal	September 26-October 26, 1986
Permit Services	September 16-October 15, 1986
Planning	September 17-October 21, 1986
Public Information	September 23-October 23, 1986
Technical Services	September 16-October 15, 1986

## COMMUNICATIONS

Ralph P. Doetsch, Sr., Secretary

The following communications were presented:

(10/10/86)  
G. R. Trias  
Controller  
Office of Controller  
County of San Mateo  
San Mateo, California

presenting 1986-87 estimated property tax revenue. (10/16/86)

(10/17/86)  
Shirley and Paul Treanor  
Oakley, California

concerning foul odors emitted from the Louisiana Pacific Paper Mill in Oakley, California and the coke burning power plants proposed to be built in the Oakley area. (10/20/86)

(10/15/86)  
Richard Heggie  
Councilmember  
Orinda City Council  
Orinda, California

indicating incorporation of an air quality element in the City of Orinda general plan. (10/20/86)



(10/23/86)  
Conrad M. Corbett  
Attorney at Law  
San Francisco, California

submitting letter setting forth claim of injury the District.  
(10/24/86)

(10/23/86)  
Richard T. Bottarini  
Planning Director  
City of San Ramon  
San Ramon, California

presenting City of San Ramon Redevelopment Plan Environmental  
Impact Report. (10/24/86)

(10/28/86)  
James Robinson  
Executive Director  
Redevelopment Agency of the City of San Ramon  
San Ramon, California

inviting interested taxing agencies to a discussion regarding the  
City of San Ramon Redevelopment project. (10/30/86)

(10/29/86)  
James Robinson  
Executive Director  
Redevelopment Agency of the City of San Ramon  
San Ramon, California

enclosing a copy of the Preliminary Report on the City of San  
Ramon Redevelopment Project Area Plan. (10/30/86)

(10/22/86)  
Charles R. Lewis, IV  
Mayor  
City of El Cerrito  
El Cerrito, California

setting forth the recommendation of the El Cerrito City Council  
not to add an air quality element to its General Plan.  
(10/30/86)

#### REFUNDS

The APCO's report entitled, Refunds, dated October 29, 1986, was  
presented.

#### APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel,  
dated October 29, 1986, was presented.

### SET PUBLIC HEARINGS

The APCO's report entitled, Setting of Public Hearings - Conflict of Interest Notice, dated October 29, 1986, was presented.

The following public hearings were set for December 17, 1986:

- Consideration of Amendments to Regulation 8, Rule 14, Regarding Surface Coating of Large Appliances and Metal Furniture.
- Consideration of Amendments to Regulation 8, Rule 19, Regarding Surface Coating of Miscellaneous Metal Parts and Products.
- Consideration of Amendments to Regulation 8, Rule 31, Regarding Surface Coating of Plastic Parts and Products.

Consideration of Amendments to Regulation 2, Rule 1, Section 401, Regarding Requirement for Permit to Operate.

### APPROVAL OF CONTRACT FOR AUDITOR

The APCO's report entitled, Selection of District Auditor, dated October 29, 1986, was presented.

Adopted Resolution No. 1700, In the Matter of Approving the Selection of A District Auditor.

Chairperson Ogawa inquired as to why the District was recommending the highest bidder, to which Mr. Feldstein responded that the firm of Vargas, Cruz and Patel was very competent, had experience in both the public and private sectors, and was an MBE.

### REJECTION OF CLAIM AGAINST THE DISTRICT

The APCO's report entitled, Claim of Jacob Totah, dated October 29, 1986, was presented.

Director Doetsch moved adoption of the above Consent Calendar items; seconded by Director Diridon; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, Moskowitz, Nicolopoulos, Ogawa, Wilson.

NOES: None.

ABSENT: S. Campbell, McPeak, Perata, Rudee, Silver, Speier.

QUARTERLY REPORT OF ARB REPRESENTATIVE  
Roberta H. Hughan

Director Hughan presented her report entitled, Quarterly Report of My Activities as an ARB Member, dated October 27, 1986, summarizing her activities from July 1 through September 30, 1986, stating the July 8-9 Air Resources Board Colloquium in Riverside, California, was held to study plant response to oxidant air pollutants; that the finding was that in order to completely protect fruit and vegetable crops from air pollutant damage, the hydrocarbon standards would have to be cut almost in half; and that the decision must be made as to how much crop damage California could handle in comparison to how clean the air must be.

Director Hughan stated the ARB held a public hearing on August 20-22 in Bakersfield, California, to consider a revision to the State Implementation Plan (SIP) for Kern County; that the Environmental Protection Agency had determined the Kern County SIP did not meet their requirements; and ARB staff had worked with Kern County staff members for 18 months to rectify the problems; that after extensive review, it was determined the SIP would not meet EPA standards, and the ARB held the highly technical public hearing at which the Board determined that Kern County would have to re-examine their SIP and make it more stringent in order to meet EPA requirements.

REPORT OF PERSONNEL COMMITTEE  
Paul L. Cooper, Chairperson

The Personnel Committee met October 29, 1986 to interview the two incumbent Hearing Board members who had expressed a desire to be reappointed in March 1987; and to receive a staff report on Advisory Council term expirations. Due to the length of time spent on the Hearing Board interviews and subsequent questions, the Committee deferred hearing the Advisory Council staff report until another meeting, yet to be set.

Both Ruth Koehler and Kenneth Manaster were reappointed to the Hearing Board in November 1983 to serve three-year terms as public members; Mrs. Koehler will have served nine years in March 1987 and Mr. Manaster 12.

After reviewing the resumes, attendance records, and receiving answers to Committee questions, the Committee moved to recommend to the Board that the incumbents be reappointed to the Hearing Board for a three-year term; and that the Committee had determined there was an exceptional need for Mr. Manaster's skills, thus exempting him from the 12-year term limitation policy.

Chairperson Cooper stated there were two negative votes for Mr. Manaster's reappointment that were based on philosophical objections to the reappointment based on the 12-year term limitation policy; but that the Committee had determined there was an exceptional need for his skills which should exempt him



from the policy; and that he would move the Board approve the Committee recommendation to reappoint Ruth Koehler and Ken Manaster to the Hearing Board for three-year terms ending March 7 and March 15, 1990, respectively; seconded by Director Wilson; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, Moskowitz, Nicolopoulos, Ogawa, Wilson.

NOES: None.

ABSENT: S. Campbell, McPeak, Perata, Rudee, Silver, Speier, Wilson.

Adopted Resolution No. 1701, In the Matter of Appointing Members of the Hearing Board.

REPORT OF EXECUTIVE COMMITTEE  
Frank H. Ogawa, Chairperson

Chairperson Ogawa stated the Committee had met October 29, 1986, and received the Quarterly Report of Violation Settlements for the Third Quarter of 1986; a summary of air pollution advisory programs currently in place; and the report of the Ad Hoc Committee on Public Education on its meeting of October 17, 1986.

Chairperson Ogawa stated Director Aramburu had distributed a report recommending strategies and guidelines the Ad Hoc Committee might follow in establishing its proposal. Director Aramburu stated the Committee had determined that a specific work program needed to be defined in order to evaluate whether the District could fund an additional public education information/-program; and had referred his recommended strategies and guidelines to the Ad Hoc Committee on Public Education for review and recommendation to the Executive Committee at its next meeting.

Chairperson Ogawa stated because the next regularly scheduled Executive Committee meeting date of December 31, 1986 was New Year's Eve, he had directed the Committee meet at 10:00 A.M., Wednesday, January 14, 1987.

REPORT OF AD HOC COMMITTEE ON RESOURCE RECOVERY FACILITIES  
Rod Diridon, Chairperson

Chairperson Diridon stated the Committee had met November 3, 1986, conducting a lengthy discussion regarding its future course, and had set guidelines for staff on which the APCO would elaborate; that the recent Golden West Section Air Pollution Control Association Conference regarding Garbage Burning had provided extensive knowledge to the Committee which was very helpful in their discussion.

Mr. Feldstein stated the Committee had proposed to publish a guideline report for locally elected officials regarding siting of resource recovery facilities, outlining BACT, and the project development costs; that staff had become aware of an EPA five-volume study being prepared for presentation to Congress on resource recovery facilities; that the Committee had determined it would await the EPA first draft report, suggesting Chairperson Ogawa send a letter to EPA requesting a draft copy of the report be made available to the District for review and comment; and that the Committee's deadline for a report to the Board of Directors in late spring or early summer of 1987 could be met.

Directors Silver and Speier arrived at 9:56 A.M.

Director Diridon moved the Board authorize Chairperson Ogawa to write a letter to the Environmental Protection Agency requesting a draft copy of their Resource Recovery Facilities study be made available to the Bay Area Air Quality Management District for review and comment; seconded by Director Doetsch; carried.

Chairperson Diridon stated the intent of the project was to develop an authoritative "cookbook" regarding what BACT is right now as it applies to resource recovery in various kinds of environmental settings; that once the document was prepared, it could be publicized in all areas, showing that the comparative risk between dumpsites and resource recovery facilities is higher for a dumpsite. Chairperson Diridon further stated it becomes much less difficult to tell the public that their conditions could be improved by converting their dumpsites into resource recovery facilities.

Chairperson Diridon pointed out that the Ad Hoc Committee on Public Education could be useful in communicating the intent of this document; and that the next meeting of the Ad Hoc Committee would be January 26, 1987 at which time the Committee hoped to review the draft report from EPA.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 3  
REGARDING TRANSFER OF OWNERSHIP AND FEES NOT PAID

Chairperson Ogawa opened the public hearing at 9:59 A.M., and Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Story reviewed the APCO's report entitled, Public Hearing to Consider Amendments to Regulation 3 Concerning Permit Fees, dated October 29, 1986, stating the amendments were to clarify and slightly reduce fees for transfer of permits (Section 3-307) and fees not paid (Section 3-405); that Section 3-307 was being rewritten to clarify the identity of the owner/operator of record when a transfer was required; in addition to reducing the transfer fee to \$20.00.

Mr. Story stated the amendment to Section 3-405 would eliminate the 60-day invoice payment period to not less than 30 days, which could be extended in certain cases; in addition, the amendment



would more clearly and definitively spell out reinstatement procedures when fees were not paid in a timely manner, and reduces the reinstatement charge from 50% to 10% during the first 30 days following the due date.

There was no public presentation.

Director Rudee moved the public hearing be closed at 10:02 A.M., and that Resolution No. 1702, In the Matter of Amending Regulation 3 Relating to Fees, be adopted; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, Cooper, Davis, Diridon, Doetsch, Hugan, McPeak, Moskowitz, Nicolopoulos, Ogawa, Rudee, Silver, Speier, Wilson.

NOES: None.

ABSENT: S. Campbell, Perata.

AIR POLLUTION TOPIC - VOC REGULATIONS  
Steve Hill - District Staff

Mr. Hill explained that Regulation 8, Organic Compounds, embodied the District's ozone control strategy; that ozone was a compound used to measure the severity of smog; that ozone was formed through a complex series of photochemical reactions that involved three major components: nitrogen oxides ( $\text{NO}_x$ ), sunlight, and volatile organic compounds (VOCs); and that because of the ratio to VOCs to  $\text{NO}_x$  in the Bay Area, control of VOCs would aid in the control of ozone.

Mr. Hill provided examples of industry for which rules currently existed, as well as industries for which rules would be proposed, stating staff was reviewing a number of existing regulations to determine whether it made sense to increase the stringency of those regulations; that rules were tailored to individual industries that were affected; and that they may be in the form of inspection and record-keeping requirements or limits on the chemical contents of the materials used in the process; and the rules were tailored to push technology as far as it could go; rules in Regulation 8 affected all sources in the District both existing and new; and that rules based on technology not yet developed were called technology forcing, and was designed to apply pressure on industry to develop the technology. Mr. Hill summarized his presentation stating the District VOC rules represented the most cost effective controls in California.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein stated there were ten Board members whose terms expired in December 1986 or January 1987; that letters of notification would be mailed to the appropriate appointing authorities, and carbon copies would be sent to each affected Board member.



Susanne Wilson	December 14, 1986
Albert Aramburu	December 31, 1986
Harry G. Britt	December 31, 1986
Paul Cooper	December 31, 1986
Gus J. Nicolopoulos	December 31, 1986
Carol Ruth Silver	December 31, 1986
Ralph P. Doetsch, Sr.	January 6, 1987
Roberta H. Hughan	January 6, 1987
Helen B. Rudee	January 11, 1987
Frank H. Ogawa	January 14, 1987

Director Diridon noted that the City Council Board members' terms expired at the same time; Director Wilson suggested staff stagger those terms by starting the appointments on the day of reappointment.

#### CHAIRPERSON'S REPORT Frank H. Ogawa, Chairperson

Chairperson Ogawa stated a poll of the Board members reflected that less than a quorum would be present at the regularly scheduled November 19, 1986 Board meeting and that he would entertain a motion to cancel that meeting. Director McPeak moved to cancel the meeting of November 19, 1986; seconded by Director Wilson; carried.

Chairperson Ogawa stated the Executive Committee meeting would be scheduled for 10:00 A.M., Wednesday, January 14, 1987 instead of December 31, 1986; that in addition to receiving a report from the Ad Hoc Committee on Public Education, the Committee would discuss the procedure for selecting alternate committee members and discontinuing the use of color paper for agendas and minutes.

- - -

Chairperson Ogawa stated Kaiser Engineers of Oakland would be dedicating their new cogeneration plant at the Merritt Peralta Hospital, and Board members and staff were encouraged to view the facility.

- - -

On behalf of the Board, Chairperson Ogawa offered heartfelt congratulations to Director Speier who would be sworn in to the California Assembly the first week of December 1986, stating the Board would miss her presence.

#### BOARD MEMBERS' COMMENTS

In response to Director Doetsch's question regarding how much money one must have invested in a company before the individual had to abstain from voting, Mr. Powell stated \$1,000.

Director Rudee stated she had attended the garbage burning conference and found it very helpful and informative; that the

pictures of waste were staggering because of the amount and the contents; and that perhaps a means for cutting down waste would be to cut at the source.

- - -

Director Speier stated she had enjoyed serving on the Board of Directors for the past four years; that it had been one of the most satisfying regulatory boards on which she had served; that she would miss the members and the humor, as well as the efforts that would be undertaken; that the professionalism of the staff should be underscored; and that she intended to be a vocal spokesperson for air pollution control in her service as an assemblywomen.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, December 3, 1986, 939 Ellis Street, San Francisco, California.

The meeting was recessed to the Majestic Hotel at 10:35 A.M. and adjourned at 1:10 P.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards





**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

Jack Leister  
Institute of Governmental Studies  
109 Moses Hall, Univ of Calif Lib  
Berkeley, CA 94720

**FIRST CLASS MAIL**

A/581  
Dec. 3, 1986

DEC 19 1986

UNIVERSITY OF CALIFORNIA

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
December 3, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Frank H. Ogawa, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
Davis, Rod Diridon, Ralph P.  
Doetsch, Sr., Roberta H. Hughan,  
Sunne Wright McPeak, Harold I.  
Moskowite, Gus J. Nicolopoulos,  
Don Perata, Helen B. Rudee, Carol  
Ruth Silver, Susanne Wilson.

BOARD MEMBERS ABSENT:

None.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Kathryn Smick, M.D., Chairperson,  
Jack C. Oppenheimer.

STAFF MEMBERS PRESENT:

Milton Feldstein, Hulan F.  
Brinkley, Peter Hess, Gale  
Karels, Dario Levaggi, Edward W.  
McHugh, John F. Powell, Lewis H.  
Robinson, John A. Swanson, Carol  
Bradley.

- - -

Chairperson Ogawa called the meeting to order at 9:34 A.M.

INTRODUCTION OF ADVISORY COUNCIL MEMBERS

The Advisory Council representatives had not arrived at this point.

PUBLIC PRESENTATION

There was none.

APPROVAL OF MINUTES OF NOVEMBER 5, 1986

DIVISION MONTHLY REPORTS

The following reports for the periods covered were presented:

<u>DIVISION</u>	<u>REPORT PERIOD</u>
Enforcement	October 16-November 15, 1986
Legal	October 27-November 24, 1986
Permit Services	October 16-November 15, 1986
Planning	October 22-November 18, 1986
Public Information	October 23-November 24, 1986
Technical Services	October 16-November 15, 1986

Director Hughan arrived at 9:36 A.M.

COMMUNICATIONS

Ralph P. Doetsch, Secretary

The following communications were presented:

(11/10/86)  
Arrece Jameson  
City Clerk/Clerk of the Council  
Office of the City Clerk  
City of Oakland  
Oakland, California

enclosing certified copy of Resolution No. 64065 passed by the Oakland City Council on September 16, 1986 incorporating an air quality element as a part of its General Plan. (11/12/86)

(11/4/86)  
James Robinson  
Executive Director  
Redevelopment Agency of the City of San Ramon  
San Ramon, California

presenting notice of joint public hearing, scheduled for December 15, 1986, to consider the proposed San Ramon Redevelopment Project Plan. (11/14/86)



(11/21/86)  
Tom Dorn  
Project Coordinator  
Harvey Rose Accountancy Corporation  
San Francisco, California

indicating a tentative meeting date in early December between the Personnel Committee and the District steering committee to consider the factors and weights that are being proposed for use in the point factor evaluation. (11/20/86)

(11/19/86)  
George L. Livingston  
Mayor  
City of Richmond, California

indicating that, in his view, the City of Richmond already has in its General Plan provisions supporting regional efforts to curtail air pollution, and that a separate air quality element would not be necessary. (11/21/86)

(11/20/86)  
Jim Dalton, Jr.  
Herold Mahoney  
Royal Petroleum Company  
Petaluma, California

setting forth concerns of small independent petroleum dealers with regard to proposed rule change of Regulation 8, Rule 7, Section 111.5. (12/1/86)

#### REFUNDS

The APCO's report entitled, Refunds, dated November 26, 1986, was presented.

Adopted Resolution No. 1703, In the Matter of Approving a Refund of Overpayments.

#### APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated November 26, 1986, was presented.

#### REFERRALS

The APCO's report entitled, Referrals, dated November 26, 1986, was presented.

Director Rudee moved adoption of the above Consent Calendar items; seconded by Director Aramburu; carried on roll call:

AYES: Aramburu, Britt, S. Campbell, Cooper, Diridon, Doetsch, HUGHAN, Moskowitz, Ogawa, Nicolopoulos, Rudee, Wilson.

NOES: None.

ABSENT: E. Campbell, Davis, McPeak, Perata, Silver.

REPORT OF ADVISORY COUNCIL  
Kathryn Smick, M.D., Chairperson

Chairperson Ogawa noted that Dr. Smick had not arrived, and directed this item be placed at the end of the agenda.

Mr. Feldstein pointed out there were three public hearings scheduled to consider amendments to Regulation 8, Rule 7, Regarding Gasoline Dispensing Facilities and Gasoline Delivery Vehicles; Regulation 2, Rule 1, Regarding Exemption for Gasoline Dispensing Facilities; and adoption of Regulation 8, Rule 39, Regarding Gasoline Bulk Plants and Gasoline Delivery Vehicles; that a fourth public hearing, to consider amendments to Regulation 8, Rule 33, Regarding Bulk Gasoline Distribution Facilities and Gasoline Delivery was being cancelled, and that staff was requesting the Board also cancel the Regulation 8, Rule 39 public hearing for consideration at a future meeting. Chairperson Ogawa so ordered.

PUBLIC HEARING TO CONSIDER AMENDMENT TO REGULATION 8, RULE 7,  
REGARDING GASOLINE DISPENSING FACILITIES AND GASOLINE DELIVERY VEHICLES

PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATION 2, RULE 1,  
REGARDING EXEMPTION FOR GASOLINE DISPENSING FACILITIES

Chairperson Ogawa opened the public hearing at 9:38 A.M., and Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Feldstein stated Mr. Gale Karels of the District staff would present the two public hearing staff reports at one time because the proposed amendments were interrelated.

Mr. Karels reviewed the APCO's report entitled, Public Hearing to Consider Amendments to Regulation 8, Rule 7, Regarding Gasoline Dispensing Facilities and Gasoline Delivery Vehicles; Public Hearing to Consider Amendments to Regulation 2, Rule 1, Regarding Exemption for Gasoline Dispensing Facilities; Public Hearing to Consider Adoption of Regulation 8, Rule 39, Regarding Gasoline Bulk Plants and Gasoline Delivery Vehicles, dated November 25, 1986, stating the proposed amendments to the rules controlling emissions from gasoline dispensing and distribution facilities would reduce the emission of precursor organic compounds by 0.32 tons per day and benzene emissions by 25 pounds per day; and that the amendments were considered to be contingency measures to compensate for shortfalls in other ozone control measures contained in the 1982 Air Quality Management Plan.

Director Silver arrived at 9:40 A.M.



Mr. Karels stated that if the Board adopted the proposed Regulation 8, Rule 7 vapor recovery amendments, Regulation 2, Rule 1, regarding gasoline dispensing facilities exemption from the requirements to operate would be amended to require facilities pumping more than 24,000 gallons per year to obtain permits to operate; pointing out that the current exemption was set at 60,000 gallons per year.

Using overheads, Mr. Karels presented a flowchart depicting the gasoline distribution network, stating gasoline was received and shipped by tank trucks and delivered to bulk plants or service stations; that recipient service stations were required to be fully equipped for vapor recovery, and bulk plant recipients may or may not be required to have vapor recovery; that bulk plants were intermediate distribution facilities delivering to a wide range of accounts, including commercial, retail, agricultural, etc.; and the District had regulations that applied to all phases of gasoline marketing operations; that bulk terminals were not permitted to emit more than .55 pounds per thousand of gasoline delivered; and that the bulk plant emission rule was currently being workshopped, and that a change was anticipated.

Mr. Karels stated the proposed Regulation 8, Rule 7 amendment would reduce emissions of .16 tons/day of reactive organic compounds directly by requiring small service stations to install vapor recovery equipment, and that an indirect bulk plant emission reduction of .16 tons/day would also be realized, for a total .32 tons/day reduction; that staff's recommended change decreased the throughput exemption of 180,000 gallons per year for retail facilities, and 60,000 gallons/year for non-retail facilities to 24,000 gallons/year for all facilities; that the proposal was consistent with other District rules, citing SCAQMD, and San Diego County's more stringent throughput exemption of 2,000 gallons per month; that the District's change was an annual average that took into consideration seasonal businesses like resorts and marinas, that might have 6,000 gallons/month for two months and nothing in the winter.

Director E. Campbell arrived at 9:55 A.M.

Mr. Karels stated approximately 15 members of the public had attended the October 31, 1986 workshop and who expressed concern for the effect of the rule on small businessmen who might go out of business. Mr. Karels noted that financial hardship could be considered by the APCO when determining the feasibility of required vapor recovery, as is stated in the regulation.

Director McPeak arrived at 9:58 A.M.

Chairperson Ogawa questioned the method used to determine financial hardship, to which Mr. Karels stated State law had set a precedent to make the determination, which included the submission of a financial statement. Director Cooper stated the financial hardship requirement was vague in that it could not be determined that it would be caused by the adoption of the proposed rule, suggesting definitive guidelines would have to be set.

Directors Silver and Perata arrived at 10:00 A.M.



There was discussion regarding the anticipated cost of installing vapor recovery; the initial cost of \$7,000 for a facility with two dispensers, the extra costs incurred for operation and maintenance, the fact that vapor recovery saved product and the savings could offset maintenance costs.

Referring to Sonoma County small operators who objected to the rule, Director Rudee questioned whether there was any possibility they could be exempted from compliance. Mr. Karels stated of 41 bulk plants only eight had vapor recovery, and those bulk plants without vapor recovery could only deliver to facilities which were exempt; and that by reducing the exemptions, the throughput was also reduced. Director Rudee suggested reducing pollution from all other areas before reaching the small businesses would allow them time to prepare for the rule.

Director Moskowite questioned the number of stations in the nine counties that were affected by the rule; stating that in Napa County, 2,000 gallons/month was not a viable amount of gas for small businesses to sell, thus forcing them out of business, and would cause increased travel to get gas which would add to air pollution, stating that requiring small businesses to get in line with large companies would not constitute effective pollution reduction.

Director Doetsch pointed out that the reduction from 60,000 gallons of gas per year to 24,000 gallons per year was not worth the \$7,000 anticipated investment.

There was discussion regarding the significance of the anticipated vapor reductions; the \$7,000 expenditure and the application of the financial hardship exemption; the District's 1987 non-attainment for carbon monoxide and ozone; and the need to educate the public regarding the stringent measures the Board needed to adopt to attain the ozone standard.

Director Britt stated he was concerned about seasonal business exemptions; that \$7,000 did not sound oppressive when a ten year estimated life and depreciation was considered; that southern California currently had a more stringent monthly and annual cap which the District was not proposing; and that it would seem that dispensing 6,000 gallons of gasoline per month for three or four months in high use months (seasonal businesses) would contribute more environmental harm than those facilities dispensing 2,000 gallons of gasoline per month; and that perhaps the District should consider imposing a 4,000 gallon cap on these facilities.

Director Silver questioned the margin of profit on the sale of a gallon of gasoline, estimating approximately five cents or less; stating bulk suppliers which did not have vapor recovery trucks or money for installation would be hurt; but that the District could not afford to continue to breathe contaminated air in order to keep them in business; stating further that small service stations were ancillary and not prime businesses which were being requested to make a relatively small investment that would be amortized over a long period of time, that she was sympathetic to

those affected, but that the public must recognize the need to alter their business practices to aid the clean air effort, agreeing with Director Diridon's sentiment that the public needed to direct a message to the Legislature to improve the I&M bill in order that more stringent rules would not have to be adopted.

Director Nicolopoulos questioned the number, and length of time, of the workshops held, the timeliness of the notification process, and the number of participants, expressing his concern for the small turnout to a workshop that affected 109 facilities; stating a rule change of this magnitude should have generated more public interest, and the notification process may not have been as adequate or informative as it could have been; suggesting the possibility of scheduling a second workshop to allow better attendance.

Director Davis questioned whether the proposed exemptions applied to facilities constructed after December 3, 1986. Mr. Karels explained that new tanks with a capacity of 260 gallons would be required to have vapor recovery equipment; and that existing facilities delivering more than 24,000 gallons would not be exempted.

Chairperson Ogawa counted six speakers in the audience, and directed each speaker limit their presentation to five minutes.

Bill Brescian  
Exxon Jobber  
Napa, California

stated he represented a small, exempt bulk plant which delivered to agricultural accounts; that Director Nicolopoulos was correct in that the recipients of the workshop notice did not understand the impact of the proposed rule; that neither suppliers nor new dealers received a workshop notification; that the estimated \$7,000 installation cost did not take into consideration the number of pumps or the distance of tanks from pumps; that those affected were receiving 180,000 gallons per year and 15,000 gallons per month, and that less than 15,000 gallons of gas per month would not reap a profit; that suppliers would go to major stations if small service stations went out of business, and that there would be an increase in rural road travel and the demise of remote service stations in area like Lake Berryessa, and would possibly encourage travelers to haul gasoline by drums, which would cause more problems; and that the imposition of the vapor recovery investment on small businesses would force them out of business for sure.

Director Silver pointed out that the Board understood Mr. Brescian's concern that rural Napa County should not be subjected to the same requirements as pollution-laden cities, but that air pollution from Napa drifted to other Bay Area cities.



Pete Marengo  
Service Station Owner  
Vallejo, California

stated he had been in business 55 years, had a small service station; was exempt under the 15,000 gallon of gas requirement and that the proposed rule change would cause him a financial hardship, stating further that the 24,000 gallon per year allotment would close stations that offered services other than pumping gas.

Jack Cunha  
Exxon Bulk Plant  
Petaluma, California

requested current volumes be retained; that he knew two dealers who would go out of business because they could not afford the equipment; and that tank testing was causing them to lose more and more customers.

Jim Thompson  
Shell and Texaco  
Santa Rosa, California

stated in order to generate more interest and attendance at workshops, notices regarding proposed rule changes should include a list of anticipated costs to those affected; that an estimated \$10,000 expenditure would be yet an additional burden on small businesses who would have to pay the contractor installing the equipment immediately, recommending a reasonable time limit be set for compliance.

Dick Fahey  
Diablo Petroleum, Inc.  
Martinez, California

stated DPI serviced commercial accounts and many accounts with small tanks; that the cumulative emissions saving had little effect on air pollution, and maintenance of the equipment would be an additional expense that was not reflected in the \$7,000 estimate, recommending the current 60,000 gallons of gasoline per year exemption for retail accounts be retained.

Jim Dalton  
Royal Petroleum  
Petaluma, California

representing 3-4 old established businesses in Point Reyes, Petaluma and southern Marin; that representatives from large, major companies were not present at the public hearing because they were able to meet the requirements; that many small individual jobbers could not afford to leave their stations to appear at workshops and hearings; that underground tanks had to be tested annually at a \$700-\$1,000 cost; disagreeing with staff's estimate of a \$7,000 vapor recovery equipment installation fee; stating \$10,000-\$12,000 was more realistic. Mr. Dalton stated he agreed there was a need for clean



air, but not at the expense of small individual owners, suggesting a gradual conversion for the small businesses which were still smarting from the recently adopted underground tank laws.

The Board discussed the need for an alternative to the proposed regulation amendment; the accuracy of the \$7,000 installation fee; that effect on communities of the closure of small rural business, e.g., hauling and storage of gasoline.

Director Wilson questioned the location of the 109 stations, stating a compromise might be needed if they proved to be very necessary to the community; and that the creation of bank credit arrangements could be an alternative.

Director Aramburu moved the Board continue the public hearing to receive a staff report: (1) pinpointing the location of the affected 109 service stations, (2) verifying the cost of vapor recovery equipment installation, (3) developing case studies that would reflect the actual cost of installation for a cross section; and (4) that prior to the presentation of the staff report, a workshop be scheduled with maximum involvement of industry groups; and that the report be presented to the Board in February 1987; seconded by Director Rudee.

Director Diridon stated he would support the motion, but was concerned that mitigation of regulations would not allow the District to reach attainment in 1987; and that the Board could not afford to put off until December 1987 the adoption of onerous rules.

Director Silver requested staff also explore the possibility of: (1) phase-in timing of enactment of the regulation to allow small businesses to pursue necessary financing, (2) banks in affected communities being, interested in writing such loans, and (3) consider the comparison between amounts of air pollution reduction by vapor recovery nozzles versus the amount of air pollution that would be created by traveling to the next available station.

Director E. Campbell requested the motion include pinpointing non-retail facilities so any gains could be recognized.

Director S. Campbell stated staff should review and develop a notification process that was more comprehensive than newspaper notices; encouraging the need for improved public news releases announcing workshops and public hearings that involved the controversial issues that the Board would be reviewing in the future.

Director Rudee stated the future controversial issues should be presented to the Board on a timely basis indicating the hardships on affected businesses.

Director Hughan pointed out that if the District did not reach attainment in 1987, it would fall under the Environmental Protection Agency's "Reasonable Extra Effort Program" (REEP), which required adoption of rules that had been adopted and were working in other

Districts; and that rules found to be effective should be adopted now because later there would be no choices.

Director Davis stated he, too, would support the motion if it included the recommendation that staff look at other means for compensating the shortfalls of other ozone control measures, because he was concerned that small individual owners already had trouble competing with large companies, and the proposed regulation would be yet another burden for small businessmen.

Director Aramburu stated he would include Directors Silver, E. and S. Campbell, and Davis' concerns in his original motion which had been seconded by Director Rudee, and the motion carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Diridon, Doetsch, Hughan, McPeak, Moskowite, Ogawa, Perata, Nicolopoulos, Rudee, Wilson.

NOES: Silver.

ABSENT: None.

Chairperson Ogawa directed staff report to the Board at the February 18, 1987 meeting; that a workshop be scheduled to address the Board concerns; and that all parties be notified.

Director McPeak stated that because several Directors had referred to the need for better communication to the public; and that it was clear that more people should be involved in helping to develop alternatives and make decisions regarding EPA's attainment regulation, she would request the Chairperson direct the Ad Hoc Committee on Public Education to look at ways to make Bay Area citizens aware of the District's objectives, inviting public input in an effort to develop a public information and education program. Chairperson Ogawa so directed.

Director Diridon left at 11:08 A.M.

Director Silver stated the Ad Hoc Committee on Public Education would review the issue and recommended the Board consider allotting funds in the 1987-88 budget for an education program.

REPORT OF ADVISORY COUNCIL  
Kathryn Smick, M.D., Chairperson

Dr. Smick reviewed her report entitled, Report of Advisory Council, dated December 3, 1986, correcting paragraph five, line one, to read: "the Ad Hoc Committee on Legislation heard a presentation..." and line three, "...recodification of the Air Quality Sections"; adding that the Long-Range Planning Committee would meet December 10, 1986 to discuss sources of energy and air pollution.



Director McPeak questioned the Advisory Council's progress on the Board referral to review the land use Transportation Systems Management (TSM) effort in coordination with staff and the Board of Directors Ad Hoc Committee on Public Education, stating that other options and commute alternatives were necessary, and the Advisory Council should prepare a report recommending an aggressive region-wide TSM program to aid the District with 1987 attainment.

Dr. Smick reported that the Air Quality Planning Committee had recommended the inclusion of an air quality element in city and county general plans to decrease pollution by decreasing vehicle miles traveled; that they would monitor that effort and had agreed that Planning Commissions should be educated. Mr. Feldstein stated staff would work with the Advisory Council's Air Quality Planning Committee to review TSMs in Pleasanton and other cities, and provide a report to the Board. Director McPeak requested staff focus on reducing single occupancy vehicle use to improve transportation and air quality.

Dr. Smick stated the Air Quality Planning Committee would work with the Board Ad Hoc Committee on Public Education, but needed focusing. Director Silver stated the Air Quality Planning Committee should look at affirmative regulations and preferatory suggestions to Bay Area communities on what must be done after adoption of the air quality element in general plans: should State law or District rules require TSM compliance in order for developers to receive an air quality permit; and that the Air Quality Planning Committee should research the issue and make a recommendation to the Board. Director Silver further requested the Board also direct the Advisory Council advise them if a general fundraising campaign that would include receiving contributions from deemed polluters would jeopardize the integrity of the District. Vice-Chairperson Aramburu so ordered.

CANCELLATION OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO  
REGULATION 8, RULE 33, REGARDING BULK GASOLINE DISTRIBUTION  
FACILITIES AND GASOLINE DELIVERY

The APCO's report entitled, Cancellation of Public Hearing, dated November 24, 1986, was presented.

AIR POLLUTION TOPIC - VISIBILITY REDUCTION

Chairperson Ogawa noted the lateness of the hour, directing this item be place on a future agenda.

REPORT OF AIR POLLUTION CONTROL OFFICER  
Milton Feldstein

Mr. Feldstein reviewed his report, Postponement of Public Hearings Scheduled for December 17, 1986, dated December 2, 1986, stating staff was requesting the following public hearings scheduled for December 17, 1986 be postponed to January 7, 1987:



- December 17, 1986 - CONSIDERATION OF ADOPTION OF REGULATION 8,  
RULE 41, REGARDING VEGETABLE OIL MANU-  
FACTURING
- December 17, 1986 - CONSIDERATION OF AMENDMENTS TO REGULATION 8,  
RULE 14, REGARDING SURFACE COATING OF LARGE  
APPLIANCES AND METAL FURNITURE
- December 17, 1986 - CONSIDERATION OF AMENDMENTS TO REGULATION 8,  
RULE 19, REGARDING SURFACE COATING OF  
PLASTIC PARTS AND PRODUCTS
- December 17, 1986 - CONSIDERATION OF AMENDMENTS TO REGULATION 7,  
RULE 1, SECTION 410 REGARDING REQUIREMENT  
FOR PERMIT TO OPERATE

On motion of Director Silver; seconded by Director Aramburu;  
carried.

- - -

Mr. Feldstein asked Mr. Powell, Legal Counsel, to update the Board on the building addition proposal which was being litigated. Mr. Powell reviewed for the Board the sequence of events as it related to the building addition contract; stating the initial bids were rejected; on the second invitation to bid, the lowest bidder was non-responsive to requirements in four major respects, and the Board rejected that bid (Nibbi Bros.) and selected Barnes Construction Company, which was the second lowest bidder who had met all the bid requirements; that Nibbi Bros. had obtained a temporary restraining order preventing execution of the contract with Barnes; that a hearing was scheduled in the Law and Motion Department of Superior Court on December 22, 1986; and that he continued to be confident the Board had acted properly and was hopeful the matter would be resolved on December 22, 1986.

#### CHAIRPERSON'S REPORT

Frank H. Ogawa

There was none.

#### BOARD MEMBERS' COMMENTS

Director Cooper announced that the Personnel Committee would be meeting Wednesday, December 17, 1986, immediately following the regularly scheduled Board meeting, that the Committee would review the Harvey Rose Accountancy Corporation's point-factor analysis, staff analysis of the proposal, and the Advisory Council term expiration dates.

Director S. Campbell thanked the Chairperson for assisting her with arrangements for her trip to Japan; stating she had visited the resource recovery facility there and visited the location of the Recreational Cultural and Social Services Facility, which was located next to the resource recovery facility.

- - -

Director McPeak offered thanks to the staff for preparing the report on the San Joaquin County Agricultural Burn Proposal.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, December 17, 1986, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 11:30 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards

**BAY AREA**  
**AIR QUALITY MANAGEMENT DISTRICT**  
939 ELLIS STREET  
SAN FRANCISCO, CA 94109

Jack Leister  
Institute of Governmental Studies  
109 Moses Hall, Univ of Calif Lib  
Berkeley, CA 94720

**FIRST CLASS MAIL**



A1581  
Dec 17, 1986

JAN 12 1987

UNIVERSITY OF CALIFORNIA

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 Ellis Street  
San Francisco, California 94109  
771-6000

BOARD OF DIRECTORS REGULAR MEETING

Wednesday  
December 17, 1986  
9:30 A.M.

939 Ellis Street  
San Francisco,  
California

M I N U T E S

BOARD MEMBERS PRESENT:

Frank H. Ogawa, Chairperson,  
Albert Aramburu, Harry G. Britt,  
Edward R. Campbell, Shirley J.  
Campbell, Paul L. Cooper, Osby  
~~David, Ralph, Dan, Deetech, Sr.~~  
Carol Ruth Silver, K. Susanne  
Wilson.

BOARD MEMBERS ABSENT:

Rod Diridon, Roberta H. Hugan,  
Harold I. Moskowitz, Don Perata.

ADVISORY COUNCIL MEMBERS  
PRESENT:

Michael R. Barr, Vice-Chair-  
person, Jack C. Oppenheimer,  
Daniel V. Phelan.

STAFF MEMBERS PRESENT:

Milton Feldstein, Thomas F.  
Bell, Hulan F. Brinkley, Peter  
Hess, Teresa Lee, Bobby  
Nishimura, John F. Powell,  
Lewis H. Robinson, John A.  
Swanson, Carol Bradley.

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Chairperson Ogawa called the meeting to order at 9:39 A.M.

## INTRODUCTION OF ADVISORY COUNCIL MEMBERS

Ms. Bradley introduced Michael R. Barr, Vice-Chairperson, Jack C. Oppenheimer and Daniel V. Phelan of the Advisory Council.

## PUBLIC PRESENTATION

There was none.

## APPROVAL OF MINUTES OF DECEMBER 3, 1986

### COMMUNICATIONS

Ralph P. Doetsch, Secretary

The following communications were presented:

(11/17/86)

Allan Norris  
Los Altos, Ca

suggesting greater involvement of management in classification and salary survey. (12/3/86)

(12/1/86)

Timothy W. Thew  
Program Manager, Gas Applications  
PSG Commercial Development  
Air Products and Chemicals, Inc.  
Allentown, Pennsylvania

~~Process~~ presented at the 1986 National AICHE meeting in Boston, Massachusetts. (12/8/86)

### REFUNDS

The APCO's report entitled, Refunds, dated December 10, 1986, was presented.

Adopted Resolution No. 1704, In the Matter of Approving a Refund for Overpayment.

### NOTICE OF INTENT TO AMEND THE ADMINISTRATIVE CODE REGARDING REGULATION CHANGES

The APCO's report entitled, Notice of Intent to Amend the Administrative Code to Include Regulation Adoption/Amendment Procedures, dated December 10, 1986, was presented.

### APPROVAL FOR OUT-OF-STATE TRAVEL

The APCO's report entitled, Approval for Out-of-State Travel, dated December 9, 1986, was presented.



Director Doetsch moved adoption of the above Consent Calendar Items; seconded by Director Rudee; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Doetsch, McPeak, Nicolopoulos, Ogawa, Rudee, Wilson.

NOES: None.

ABSENT: Diridon, Hugan, Moskowitz, Perata, Silver.

PUBLIC HEARING TO CONSIDER ADOPTION OF REGULATION 8,  
RULE 41, REGARDING VEGETABLE OIL MANUFACTURING  
(Postponed from November 19, 1986)

Chairperson Ogawa opened the public hearing at 9:41 A.M., and Mr. Powell presented the Clerk with nine Affidavits of Notice of Public Hearing.

Mr. Nishimura reviewed the APCO's report entitled, Public Hearing to Consider Adoption of Regulation 8, Rule 41: Vegetable Oil Manufacturing Operations, dated December 9, 1986, stating the proposed new rule to reduce emissions of organic compounds from vegetable oil manufacturing operations would affect one facility within the District; that it would require solvent losses associated with the manufacture of vegetable oils to be controlled; and that the organic compound emissions being controlled were solvents used in the extraction of oils from seeds.

Director Silver arrived at 9:45 A.M.

Using an overhead projector, Mr. Nishimura detailed the Relative Uncontrolled Hexane Emission from Vegetable Oil Extraction and Related Processes; stating the proposed limitations were based on (1) efficient operation of the mineral oil stream and desolventizer-toaster, and (2) an inspection and maintenance program to minimize precursor organic compound (POC) losses from various mechanical sources; and that these requirements represented reasonably available control technology to continue the District's progress towards attainment of the ozone standard.

There was discussion regarding the types of seeds used to produce the oils through the proposed process; the percentage of recovery of the solvent; and the location of the affected facility. Mr. Nishimura stated safflower and sunflower seeds produced the oil; that the solvent recovery was 100% and the facility was located in Richmond, California. Director Silver questioned the cost of installation, to which Mr. Nishimura stated the cost was less than \$50,000 and that the facility would recover its costs within one year and had agreed to install the new equipment.

There was no public presentation.



Director Aramburu moved the public hearing be closed at 9:55 A.M.; seconded by Director Doetsch; carried.

Director Wilson moved adoption of Resolution No. 1705, In the Matter of Adopting Rule 41 of Regulation 8 Relating to Vegetable Oil Manufacturing Operations; seconded by Director Doetsch; carried on roll call:

AYES: Aramburu, Britt, E. Campbell, S. Campbell, Cooper, Davis, Doetsch, McPeak, Nicolopulos, Ogawa, Rudee, Silver, Wilson.

NOES: None.

ABSENT: Diridon, Hugan, Moskowitz, Perata.

#### AIR POLLUTION TOPIC - VISIBILITY REDUCTION

Using slides and an overhead projector, Mr. Robinson presented a report entitled, Visibility Impairment Regimes, undated, which discussed visibility reduction caused by sulfur oxides, nitrous oxides, and particulate sources; giving a short review of the continuous planning to control air pollution problems by outlining the steps in the problem solving process which were (1) to define impacts and goals, (2a) model pollutant-visibility relationship, (2b) model and quantify visibility physics, (3) control emissions, and (4) monitor trends. Looking at the long-term annual percentage occurrence of adverse visibilities using three-year means, he indicated visibility has improved at Bay Area airports.

#### REPORT OF AIR POLLUTION CONTROL OFFICER- LEGISLATIVE REPORT Milton Feldstein

Mr. Feldstein reviewed his report entitled, Changes in State Law - Effective January 1, 1987, dated December 10, 1986, listing amendments to the Health and Safety Code which would become effective January 1, 1987, as well as an urgent bill that became effective September 24, 1986; stating the District supported most of the bills, but in some cases was neutral.

Director Wilson stated she would be interested in looking at legislation that would add senior citizens that have difficulty maneuvering the nozzles of pumps at service stations and are forced to pay more for full service instead of self service; and that perhaps legislation should be initiated to address this problem, suggesting the hours between 10:00 A.M. and 3:00 P.M. for senior citizens to use pumps at service stations and not be charged extra for receiving help from station attendants. Director Cooper stated he was aware of special legislation that affected the handicapped and perhaps the same legislation could be applied to senior citizens.



Mr. Feldstein stated staff would review the current law and prepare a report for the Board's review at a future meeting. Chairperson Ogawa so ordered.

Director Wilson also questioned whether the new legislation regarding the Brown Act had been evaluated by staff for a report to the Board; and suggested staff provide a summary memorandum for the Board's review at the next meeting. Chairperson Ogawa so ordered.

Director Nicolopoulos expressed concern as to whether or not the District would need more money to operate as a result of the new legislation in the 1987-88 fiscal year. Mr. Feldstein stated staff would make an analysis and report to the Board prior to the budget preparation in February 1987.

#### CHAIRPERSON'S REPORT

Frank H. Ogawa

Chairperson Ogawa stated the Executive Committee meeting scheduled for January 14, 1987 would be postponed to 10:00 A.M., Wednesday, January 28, 1987, in Room 716; that at that time it would receive a report from the Ad Hoc Committee on Public Education detailing the results of its meeting of January 14, 1987 at 11:00 A.M. in the District offices.

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Chairperson Ogawa pointed out that the City of Oakland had just completed a traffic flow report which had been recommended by Mr. Feldstein in an effort to reduce air pollution in Oakland.

#### BOARD MEMBERS' COMMENTS

Director Cooper reminded the members of the Personnel Committee that they would be meeting immediately following adjournment of the Board meeting.

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Director Silver requested the Advisory Council be reminded that the Public Education Committee would meet at 11:00 A.M., January 14, 1987, and would appreciate having a report in writing addressing the conflict-of-interest question as it was related to a non-profit corporation.

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Director Silver stated she had taken the license number and a description of a van that was emitting white smoke on the streets of San Francisco; requested staff look into means of notifying the owner of the vehicle that its van should be repaired; and that she would provide the APCO with the information she had collected.



There was discussion regarding the remedies that the District could employ for such cases, to which Mr. Feldstein stated the California Highway Patrol and local Police Departments were authorized to issue a citation if they observed smoke in excess of the regulation requirements, but that the District could not cite these vehicles unless a Ringlemann evaluation was made by an inspector.

OTHER

There was none.

TIME AND PLACE OF NEXT MEETING

9:30 A.M., Wednesday, January 7, 1987, 939 Ellis Street, San Francisco, California.

The meeting adjourned at 10:47 A.M.

Respectfully submitted,

Carol Bradley  
Clerk of the Boards

CB:jc